



Government Gazette

OF THE STATE OF
NEW SOUTH WALES

Number 44
Thursday, 24 April 2008

Published under authority by Government Advertising

LEGISLATION

Assents to Acts

ACTS OF PARLIAMENT ASSENTED TO

Legislative Council Office Sydney, 16 April 2008

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

Act No. 10, 2008 – An Act to provide for a trial scheme of compulsory pre-committal conferences and codification of sentence discounts for guilty pleas; and for other purposes. [Criminal Case Conferencing Trial Act 2008].

LYNN LOVELOCK,
Clerk of the Parliaments

Proclamations



New South Wales

Commencement Proclamation

under the

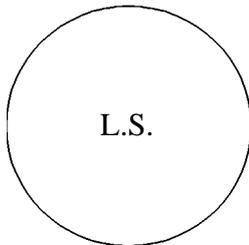
Courts and Other Legislation Amendment Act 2007 No 73

KEITH MASON, Administrator

I, the Honourable Justice Keith Mason AC, Administrator of the State of New South Wales, with the advice of the Executive Council, and in pursuance of section 2 (2) of the *Courts and Other Legislation Amendment Act 2007*, do, by this my Proclamation, appoint 1 May 2008 as the day on which Schedules 4 [1]–[8] and [10]–[32] and 5 to that Act commence.

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

By His Excellency's Command,



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

GOD SAVE THE QUEEN!

Explanatory note

The object of this Proclamation is to commence the provisions of the *Courts and Other Legislation Amendment Act 2007* that amend the *Young Offenders Act 1997*, other than the amendment that lowers the age, from which a child may choose an adult to be present when he or she makes an admission concerning an offence, from 16 years to 14 years.

Regulations



New South Wales

Home Building Amendment (Demolition Work) Regulation 2008

under the

Home Building Act 1989

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Home Building Act 1989*.

LINDA BURNEY, M.P.,
Minister for Fair Trading

Explanatory note

The object of this Regulation is to remove the requirement to obtain a contractor licence or a supervisor certificate under the *Home Building Act 1989* for demolition work.

This Regulation is made under the *Home Building Act 1989*, including sections 3 (1) (definition of *residential building work*) and 140 (the general regulation-making power).

Clause 1 Home Building Amendment (Demolition Work) Regulation 2008

Home Building Amendment (Demolition Work) Regulation 2008

under the

Home Building Act 1989

1 Name of Regulation

This Regulation is the *Home Building Amendment (Demolition Work) Regulation 2008*.

2 Commencement

This Regulation commences on 2 May 2008.

3 Amendment of Home Building Regulation 2004

The *Home Building Regulation 2004* is amended as set out in Schedule 1.

Home Building Amendment (Demolition Work) Regulation 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 9 Definition of “residential building work”—certain work excluded

Insert after clause 9 (1) (g):

(h) demolition work.

[2] Clause 46 Categories of residential building work or specialist work

Omit clause 46 (1) (p).



New South Wales

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

under the

Protection of the Environment Operations Act 1997

The Administrator, with the advice of the Executive Council, has made the following Regulation under the *Protection of the Environment Operations Act 1997*.

VERITY FIRTH, M.P.,
Minister for Climate Change and the Environment

Explanatory note

This Regulation:

- (a) replaces Schedule 1 to the *Protection of the Environment Operations Act 1997 (the 1997 Act)*, which lists certain “scheduled activities” for which an environment protection licence is required (and, in the process omits some activities and includes others), and
- (b) amends the *Protection of the Environment Operations (General) Regulation 1998 (the 1998 Regulation)* so as:
 - (i) to insert a provision to apply the definitions contained in Schedule 1 to the 1997 Act to the provisions of Schedule 1 to the 1998 Regulation, and
 - (ii) to insert a transitional provision declaring the EPA to be the appropriate regulatory authority for certain existing waste activities, and
 - (iii) to insert savings and transitional provisions with respect to the replacement of Schedule 1 to the 1997 Act, and
 - (iv) to replace Schedule 1, which prescribes licence fees, as a consequence of the replacement of Schedule 1 to the 1997 Act, and
 - (v) to make other minor amendments, and
- (c) amends the *Protection of the Environment Operations (Waste) Regulation 2005 (the 2005 Regulation)* in relation to waste so as:
 - (i) to prescribe the circumstances in which any processed, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, is within the definition of *waste* in the 1997 Act, and

Protection of the Environment Operations Amendment (Scheduled Activities and Waste)
Regulation 2008

Explanatory note

- (ii) to impose new requirements for the transportation, disposal, re-use or recycling of asbestos waste, and
- (iii) to impose new requirements in relation to clinical and related waste, and
- (iv) to enable certain kinds of waste to be granted an exemption from requirements of the 1997 Act and the 2005 Regulation, and
- (v) to reduce, from 60 to 56 days, the period within which occupiers of waste facilities must pay their contributions under section 88 of the 1997 Act, and
- (vi) to make other minor amendments.

This Regulation is made under the *Protection of the Environment Operations Act 1997*, including sections 5 (Scheduled activities) and 323 (the general regulation-making power), Schedule 2 and the definition of *waste* in the Dictionary.

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Clause 1

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

under the

Protection of the Environment Operations Act 1997

1 Name of Regulation

This Regulation is the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008*.

2 Commencement

This Regulation commences on 28 April 2008.

3 Amendment of Protection of the Environment Operations Act 1997 No 156

The *Protection of the Environment Operations Act 1997* is amended as set out in Schedule 1.

4 Amendment of Protection of the Environment Operations (General) Regulation 1998

The *Protection of the Environment Operations (General) Regulation 1998* is amended as set out in Schedule 2.

5 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

The *Protection of the Environment Operations (Waste) Regulation 2005* is amended as set out in Schedule 3.

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 1 Amendment of Protection of the Environment Operations Act 1997

Schedule 1 Amendment of Protection of the Environment Operations Act 1997

(Clause 3)

Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Scheduled activities

(Section 5)

Note. Parts 1 and 2 of this Schedule list the activities that are scheduled activities for the purposes of this Act (see sections 48 and 49). Part 3 defines various words and expressions that are used in Parts 1 and 2.

Part 1 Premises-based activities

1 Application of Part

- (1) For the purposes of section 48, any activity that is declared by this Part to be a scheduled activity is taken to be an activity for which a licence is required for the premises at which it is carried out (the activity is *premises-based*).

Note. Section 48 (2) provides that the occupier of premises at which such an activity is carried out is guilty of an offence unless he or she holds a licence that authorises the activity to be carried out at those premises.

- (2) However, such an activity is not premises-based if it is carried out by means of mobile plant.

Note. But see clauses 46 and 47 by operation of which activities carried out by means of mobile plant are declared for the purposes of section 49.

2 Agricultural processing

- (1) This clause applies to the following activities:

dairy processing, meaning the processing of dairy produce as part of the production of milk, evaporated or condensed milk, buttermilk, cream, cheese, butter, ice-cream or similar products.

general agricultural processing, meaning the processing of agricultural produce (otherwise than as part of the manufacture of beer, wine, spirits, vinegar, acetic acid or similar products), but excluding:

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Schedule 1

- (a) dairy processing and grape processing, and
- (b) the processing of agricultural produce by means of mobile processing operations.

grape processing, meaning the processing of grapes (otherwise than by distilling) as part of the manufacture of wine, spirits, vinegar, acetic acid or similar products.

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

- (3) In this clause:

agricultural produce includes seeds, fruit, vegetables and other plant material, but excludes dairy produce and grapes.

process includes crush, juice, grind, gin, mill, separate, wash, sort, coat, roll, press, steam, flake, comb, homogenise and pasteurise.

Table

Column 1	Column 2
Activity	Criteria
dairy processing	capacity to process more than 30,000 megalitres of dairy produce per year
general agricultural processing	capacity to process more than 30,000 tonnes of agricultural produce per year
grape processing	capacity to process more than 30,000 tonnes of grapes per year

3 Aquaculture and mariculture

- (1) This clause applies to **aquaculture** and **mariculture**, each meaning the commercial production of marine, estuarine or freshwater organisms, including aquatic animals and plants but excluding oysters, being an activity that involves:

- (a) supplemental feeding in tanks or artificial waterbodies, and
- (b) the discharge of effluent, liquid sludge or other waste water into natural waterbodies, including discharge by means of a pipe, drain, drainage depression, canal or other form of conveyance.

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- (2) Each activity to which this clause applies is declared to be a scheduled activity.
- (3) In this clause, *natural waterbody* includes any river, stream, lake, lagoon, swamp, wetland or watercourse (including any natural watercourse that has been artificially modified) or tidal waters (including the sea).

4 Bitumen mixing

- (1) This clause applies to *bitumen mixing*, meaning the mixing of crushed or ground rock with bituminous materials.
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) it has a capacity to produce more than 150 tonnes of bituminous mixture per day or 30,000 tonnes of bituminous mixture per year, and
 - (b) it is carried out otherwise than on or adjacent to a construction site by means of temporary works used to provide bituminous mixture for that site (that is, works used for periods totalling no more than 12 months).

5 Brewing and distilling

- (1) This clause applies to the activities of *brewing* and *distilling*, each meaning the production of alcohol or alcoholic products (otherwise than for the manufacture of wine, vinegar, acetic acid or similar products).
- (2) Each activity to which this clause applies is declared to be a scheduled activity if it has a capacity to produce more than 30 tonnes of alcohol or alcoholic products per day or 10,000 tonnes of alcohol or alcoholic products per year.

6 Cement or lime works

- (1) This clause applies to the following activities:
 - cement or lime handling*, meaning the handling of cement, fly ash, powdered lime (other than agricultural lime) or any other similar dry cement products.
 - cement or lime production*, meaning the production of cement or lime:
 - (a) by heating argillaceous or calcareous materials to produce cement clinkers, grinding clinkers or slags, or
 - (b) by hydrating quicklime.

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- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
cement or lime handling	capacity to handle more than 150 tonnes of cement or lime per day or 30,000 tonnes of cement or lime per year
cement or lime production	capacity to produce more than 150 tonnes of cement or lime per day or 30,000 tonnes of cement or lime per year

7 Ceramic works

- (1) This clause applies to the following activities:
- ceramic waste generation*, meaning ceramics production or glass production that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).
- ceramics production*, meaning the production of ceramics (other than glass), including products such as bricks, tiles, pipes, pottery goods or refractories manufactured through a firing process.
- glass production*, meaning the production of glass by melting.
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
ceramic waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)

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Column 1	Column 2
Activity	Criteria
ceramics production	capacity to produce more than 150 tonnes of ceramics per day or 15,000 tonnes of ceramics per year
glass production	capacity to produce more than 150 tonnes of glass per day or 15,000 tonnes of glass per year

8 Chemical production

(1) This clause applies to the following activities:

agricultural fertiliser (inorganic) production, meaning the commercial production of, or research into, inorganic (other than phosphate) plant fertilisers.

agricultural fertiliser (phosphate) production, meaning the commercial production of, or research into, phosphate plant fertilisers.

ammonium nitrate production, meaning the commercial production of, or research into, ammonium nitrate for any purpose, including fertilisers or explosives.

battery production, meaning the commercial production of, or research into, batteries containing acid or alkali and metal plates.

carbon black production, meaning the commercial production of, or research into, carbon black.

chemical production waste generation, meaning the commercial production of, or research into, any chemical substance that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).

dangerous goods production, meaning the commercial production of, or blending, recovering, using or research into, dangerous goods (other than toxic substances, explosives or radioactive substances).

explosives production, meaning the commercial production of, or research into, explosives for industrial, extractive and mining purposes or for the production of ammunition, fireworks or fuel propellants, but not including:

- (a) ammonium nitrate production, or
- (b) the production of explosives for mining purposes, when carried out at a mine.

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paints/polishes/adhesives production, meaning the commercial production of, or research into, paints, paint solvents, pigments, dyes, printing inks, industrial polishes, adhesives or sealants.

pesticides and related products production, meaning the commercial production (otherwise than by simple blending) of, or research into, pesticides, fungicides, herbicides, rodenticides, nematocides, miticides, fumigants or related products.

pesticides and related products (toxic substances) production, meaning the commercial production (otherwise than by simple blending) of, or research into, pesticides, fungicides, herbicides, rodenticides, nematocides, miticides, fumigants or related products that are toxic substances.

petrochemical production, meaning the commercial production of, or research into, petrochemicals and petrochemical products.

pharmaceutical and veterinary products production, meaning the commercial production of, or research into, pharmaceutical or veterinary products that are toxic substances.

plastic resins production, meaning the commercial production of, or research into, synthetic plastic resins.

plastics reprocessing, meaning the reprocessing of plastics otherwise than by simple melting and reforming.

rubber products/tyres production, meaning the commercial production of, or research into, rubber products or rubber tyres (including tyre retreading).

soap and detergents production, meaning the commercial production (otherwise than by simple blending) of, or research into, soaps or detergents (including any domestic, institutional or industrial soaps or detergent activity).

soap and detergents (toxic substances) production, meaning the commercial production of, or research into, soaps or detergents that contain toxic substances (including any domestic, institutional or industrial soaps or detergent activity).

synthetic rubber production, meaning the commercial production of, or research into, synthetic rubber.

toxic substance production, meaning the commercial production of, or research into, toxic substances, but not including:

- (a) pesticides and related products (toxic substances) production, or
- (b) pharmaceutical and veterinary products production, or
- (c) soap and detergents (toxic substances) production.

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- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
agricultural fertiliser (inorganic) production	capacity to produce more than 20,000 tonnes of inorganic (other than phosphate) plant fertilisers per year
agricultural fertiliser (phosphate) production	capacity to produce more than 20,000 tonnes of phosphate plant fertilisers per year
ammonium nitrate production	capacity to produce more than 20,000 tonnes of ammonium nitrate per year
battery production	capacity to produce more than 30 tonnes of batteries (calculated by the weight of their metal content) per year
carbon black production	capacity to produce more than 5,000 tonnes of carbon black per year
chemical production waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)
dangerous goods production	capacity to produce more than 1,000 tonnes of dangerous goods per year
explosives production	any capacity to produce explosives
paints/polishes/adhesives production	capacity to produce more than 5,000 tonnes of paints, paint solvents, pigments, dyes, printing inks, industrial polishes, adhesives or sealants per year
pesticides and related products production	capacity to produce more than 2,000 tonnes of pesticides and related products per year

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Column 1	Column 2
Activity	Criteria
pesticides and related products (toxic substances) production	capacity to produce more than 1 tonne of pesticides and related products (toxic substances) per year
petrochemical production	capacity to produce more than 2,000 tonnes of petrochemicals per year
pharmaceutical and veterinary products production	capacity to produce more than 1 tonne of pharmaceutical and veterinary products per year
plastic resins production	capacity to produce more than 2,000 tonnes of plastic resins per year
plastics reprocessing	capacity to reprocess more than 5,000 tonnes of plastics per year
rubber products/tyres production	capacity to produce more than 5,000 tonnes of rubber products or tyres per year
soap and detergents production	capacity to produce more than 5,000 tonnes of soap and detergents per year
soap and detergents (toxic substances) production	capacity to produce more than 100 tonnes of soap and detergents per year
synthetic rubber production	capacity to produce more than 2,000 tonnes of synthetic rubber per year
toxic substance production	capacity to produce more than 1 tonne of toxic substances per year

9 Chemical storage

(1) This clause applies to the following activities:

chemical storage waste generation, meaning chemical substances storage that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).

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general chemicals storage, meaning the storage or packaging of chemical substances (other than petroleum or petroleum products) in containers, bulk storage facilities or stockpiles.

petroleum products storage, meaning the storage or packaging of petroleum or petroleum products in containers, bulk storage facilities or stockpiles.

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
chemical storage waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)
general chemicals storage	capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)
petroleum products storage	capacity to store more than 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form)

10 Coal works

- (1) This clause applies to *coal works*, meaning any activity (other than coke production) that involves storing, loading or handling coal (whether at any coal loader, conveyor, washery or reject dump or elsewhere) at an existing coal mine or on a separate coal industry site.
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) it has a capacity to handle more than 500 tonnes per day of coal, or
 - (b) it has a capacity to store more than 5,000 tonnes of coal (not including storage within a closed container or building).

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11 Coke production

- (1) This clause applies to *coke production*, meaning the production of coke from coal (including by quenching, cutting, crushing or grinding).
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) it has a capacity to handle more than 500 tonnes per day of coke or coal, or
 - (b) it has a capacity to store more than 5,000 tonnes of coke or coal (not including storage within a closed container or building).

12 Composting

- (1) This clause applies to *composting*, meaning the aerobic or anaerobic biological conversion of organics into humus-like products:
 - (a) by methods such as bioconversion, biodigestion or vermiculture, or
 - (b) by size reduction of organics by shredding, chipping, mulching or grinding.
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) where it takes place inside the regulated area, or takes place outside the regulated area but receives organics from inside the regulated area (whether or not it also receives organics from outside the regulated area):
 - (i) it has on site at any time more than 200 tonnes of organics received from off site, or
 - (ii) it receives from off site more than 5,000 tonnes per year of non-putrescible organics or more than 200 tonnes per year of putrescible organics, or
 - (b) where it takes place outside the regulated area and does not receive organics from inside the regulated area:
 - (i) it has on site at any time more than 2,000 tonnes of organics received from off site, or
 - (ii) it receives from off site more than 5,000 tonnes per year of non-putrescible organics or more than 200 tonnes per year of putrescible organics.
- (3) For the purposes of this clause, 1 cubic metre of organics is taken to weigh 0.5 tonnes.

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13 Concrete works

- (1) This clause applies to *concrete works*, meaning the production of pre-mixed concrete or concrete products (for example, concrete batching plants).
- (2) The activity to which this clause applies is declared to be a scheduled activity if it has a capacity to produce more than 30,000 tonnes per year of concrete or concrete products.

14 Container reconditioning

- (1) This clause applies to *container reconditioning*, meaning:
 - (a) the receiving from off site of containers (including metal, plastic or glass drums, bottles, cylinders or intermediate bulk containers) previously used for the transport or storage of and containing residual quantities of:
 - (i) substances of Class 1, 3, 4, 5 or 8 within the meaning of the *Transport of Dangerous Goods Code*, or
 - (ii) substances to which Division 6.2 of the *Transport of Dangerous Goods Code* applies, and
 - (b) the reconditioning, recovering, treating or storing of such containers.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it involves having more than 100 such containers on site at any time.

15 Contaminated soil treatment

- (1) This clause applies to *contaminated soil treatment*, meaning the on site or off site treatment of contaminated soil (including, in either case, incineration or storage of contaminated soil but excluding excavation for treatment at another site).
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) in any case, it has the capacity to treat more than 1,000 cubic metres per year of contaminated soil received from off site, or
 - (b) where it treats contaminated soil originating exclusively on site, it has a capacity:
 - (i) to incinerate more than 1,000 cubic metres per year of contaminated soil, or

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- (ii) to treat (otherwise than by incineration) and store more than 30,000 cubic metres of contaminated soil, or
 - (iii) to disturb more than an aggregate area of 3 hectares of contaminated soil.

16 Crushing, grinding or separating

- (1) This clause applies to *crushing, grinding or separating*, meaning the processing of materials (including sand, gravel, rock or minerals, but not including waste of any description) by crushing, grinding or separating them into different sizes.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it has a capacity to process more than 150 tonnes of materials per day or 30,000 tonnes of materials per year.

17 Electricity generation

- (1) This clause applies to the following activities:
 - general electricity works*, meaning the generation of electricity by means of electricity plant that, wherever situated, is based on, or uses, any energy source other than wind power or solar power.
 - metropolitan electricity works (gas turbines)*, meaning the generation of electricity by means of electricity plant:
 - (a) that is based on, or uses, a gas turbine, and
 - (b) that is situated in the metropolitan area or in the local government area of Port Stephens, Maitland, Cessnock, Singleton, Wollondilly or Kiama,
 not being emergency stand-by plant that operates for less than 200 hours per year.
 - metropolitan electricity works (internal combustion engines)*, meaning the generation of electricity by means of electricity plant:
 - (a) that is based on, or uses, an internal combustion engine, and
 - (b) that is situated in the metropolitan area or in the local government area of Port Stephens, Maitland, Cessnock, Singleton, Wollondilly or Kiama,
 not being emergency stand-by plant that operates for less than 200 hours per year.

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- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
general electricity works	capacity to generate more than 30 megawatts of electrical power
metropolitan electricity works (gas turbines)	capacity to burn more 20 megajoules of fuel per second
metropolitan electricity works (internal combustion engines)	capacity to burn more than 3 megajoules of fuel per second

18 Energy recovery

- (1) This clause applies to the following activities:
energy recovery from general waste, meaning the receiving from off site of, and the recovery of energy from, any waste (other than hazardous waste, restricted solid waste, liquid waste or special waste).
energy recovery from hazardous and other waste, meaning the receiving from on site or off site of, and the recovery of energy from, hazardous waste, restricted solid waste, liquid waste or special waste.
- (2) However, this clause does not apply to any of the following:
- (a) the processing of contaminated soil,
 - (b) container reconditioning,
 - (c) the recovery of gases that are dangerous goods of Class 2 within the meaning of the *Transport of Dangerous Goods Code*.
- (3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if:
- (a) it meets the criteria set out in Column 2 of that Table, and
 - (b) the regulations under section 286 exempt the person carrying out the activity from the requirements of section 48 (2) as they apply to waste disposal (thermal treatment).
- (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.

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Table

Column 1	Column 2
Activity	Criteria
energy recovery from general waste	involves processing more than 200 tonnes per year of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste)
energy recovery from hazardous and other waste	involves having on site at any time more than 200 kilograms of hazardous waste, restricted solid waste, liquid waste or special waste

19 Extractive activities

- (1) This clause applies to the following activities:
land-based extractive activity, meaning the extraction, processing or storage of extractive materials, either for sale or re-use, by means of excavation, blasting, tunnelling, quarrying or other such land-based methods.
water-based extractive activity, meaning the extraction of extractive materials, either for sale or re-use, by means of dredging or other such water-based methods.
- (2) In this clause, *extractive materials* means clay, sand, soil, stone, gravel, rock, sandstone or similar substances that are not minerals within the meaning of the *Mining Act 1992*.
- (3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
land-based extractive activity	involves the extraction, processing or storage of more than 30,000 tonnes per year of extractive materials
water-based extractive activity	involves the extraction of more than 30,000 cubic metres per year of extractive materials

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20 Helicopter-related activities

- (1) This clause applies to a *helicopter-related activity*, meaning the landing, taking-off or parking of helicopters (including the use of terminals and the use of buildings for the parking, servicing or maintenance of helicopters), being an activity:
 - (a) that has an intended use of more than 30 flight movements per week (where take-off and landing are separate flight movements), and
 - (b) that is conducted within 1 kilometre of a dwelling not associated with the landing, taking-off or parking of helicopters,
but not including an activity that is carried out exclusively for the purposes of emergency aeromedical evacuation, retrieval or rescue.
- (2) The activity to which this clause applies is declared to be a scheduled activity.

21 Irrigated agriculture

- (1) This clause applies to *irrigated agriculture*, meaning the irrigation activity of an irrigation corporation within the meaning of the *Water Management Act 2000*, but not including the irrigation activity of individual irrigators in the area of operations of any such irrigation corporation.
- (2) The activity to which this clause applies is declared to be a scheduled activity.

22 Livestock intensive activities

- (1) This clause applies to the following activities:
 - animal accommodation*, meaning the accommodation of animals for the purposes of sale, auction or exchange or for transportation by road, rail or ship.
 - bird accommodation*, meaning the accommodation of birds for commercial production.
 - cattle, sheep or horse accommodation*, meaning the accommodation of cattle, sheep or horses in a confinement area for rearing or fattening (wholly or substantially) on prepared or manufactured feed (excluding facilities for drought or similar emergency relief).
 - dairy animal accommodation*, meaning the accommodation of animals for milk production.

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pig accommodation, meaning the accommodation of pigs for commercial production.

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
animal accommodation	capacity to handle more than 50,000 cattle or 200,000 animals of any type (including cattle) per year
bird accommodation	capacity to accommodate more than 250,000 birds at any time
cattle, sheep or horse accommodation	capacity to accommodate more than 1,000 head of cattle, 4,000 sheep or 400 horses at any time
dairy animal accommodation	capacity to accommodate more than 800 animals at any time
pig accommodation	capacity to accommodate more than 2,000 pigs or 200 breeding sows at any time

23 Livestock processing activities

- (1) This clause applies to the following activities:
- general animal products production*, meaning the manufacture of products derived from the slaughter of animals occurring in plants producing products such as hides, adhesives, pet food, gelatine, fertiliser or meat products.
- greasy wool or fleece processing*, meaning the scouring, topping or carbonising of greasy wool or fleeces.
- rendering or fat extraction*, meaning the manufacture of products derived from the slaughter of animals occurring in rendering or fat extraction plants.
- slaughtering or processing animals*, meaning the slaughtering or processing of animals (including poultry and fish).

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tanneries or fellmongeries, meaning the manufacture of products derived from the slaughter of animals occurring in tanneries or fellmongeries (that is, operations that process animal skins or other animal products to produce leather or other similar products).

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
general animal products production	capacity to produce more than 5,000 tonnes of animal products per year
greasy wool or fleece processing	capacity to process more than 200 tonnes of wool or fleece per year
rendering or fat extraction	capacity to produce more than 200 tonnes of tallow, fat or their derivatives or proteinaceous matter per year
slaughtering or processing animals	capacity to slaughter or process more than 750 tonnes live weight per year
tanneries or fellmongeries	capacity to process more than 2 tonnes of skins or hides per year

24 Logging operations

- (1) This clause applies to the following activities:
 - access road construction*, meaning the construction of new access roads in connection with timber-getting in a compartment in a State forest or Crown timber land (within the meaning of the *Forestry Act 1916*).
 - timber-getting*, meaning the cutting and removal of timber (being sawlogs or pulplogs) from a compartment in a State forest or Crown timber land (within the meaning of the *Forestry Act 1916*).
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

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- (3) In this clause:

land west of the Great Dividing Range means the area shown on the map entitled “Land west of the Great Dividing Range”, published by the EPA and as in force from time to time, copies of which are held in the offices of the EPA.

Note. A copy of the map is available on the EPA’s website (www.environment.nsw.gov.au).

Table

Column 1	Column 2
Activity	Criteria
access road construction	when carried out otherwise than in a compartment in a timber plantation or on land west of the Great Dividing Range
timber-getting	when carried out otherwise than in a compartment in a timber plantation or on land west of the Great Dividing Range where: <ul style="list-style-type: none"> (a) at least 20% of the compartment has a slope greater than 18 degrees above or below the horizontal, and (b) at least 30 timber stems (at least 40 centimetres in diameter at breast height) are removed from each hectare of the compartment when averaged over the net harvestable area of the compartment

25 Marinas and boat repairs

- (1) This clause applies to the following activities:

boat construction/maintenance (dry/floating docks), meaning the use of dry docks or floating docks for the construction, repair and maintenance of vessels.

boat construction/maintenance (general), meaning the use of facilities (whether water-based or land-based) for the construction, repair and maintenance of vessels (other than dry docks, floating docks and facilities not having frontage to a waterway).

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boat mooring and storage, meaning the use of pontoons, jetties, piers or other structures (whether water-based or land-based) designed or utilised to provide moorings or dry storage (other than swing moorings and facilities not having frontage to a waterway).

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.
- (3) In this clause, *waterway* means any river, stream, lake, lagoon, swamp, wetlands, unconfined surface water, natural or artificial watercourse, dam or tidal waters (including the sea).

Table

Column 1	Column 2
Activity	Criteria
boat construction/maintenance (dry/floating docks)	capacity to handle vessels 25 metres or longer
boat construction/maintenance (general)	capacity to handle more than 5 vessels longer than 5 metres (excluding rowing boats, dinghies and other small craft) at any time
boat moorings and storage	capacity to handle more than 80 vessels (excluding rowing boats, dinghies and other small craft) at any time

26 Metallurgical activities

- (1) This clause applies to the following activities:
 - aluminium production (alumina)*, meaning the refinement or processing of mainly alumina to produce aluminium products.
 - aluminium production (scrap metal)*, meaning the refinement or processing of mainly scrap aluminium to produce aluminium products.
 - iron or steel production (iron ore)*, meaning the refinement or processing of mainly iron ore to produce iron or steel products.
 - iron or steel production (scrap metal)*, meaning the refinement or processing of mainly scrap iron or steel to produce iron or steel products.

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metal coating, meaning the coating of metal by any method (including spray painting, powder coating, enamelling, electroplating, anodising and galvanising, but not the coating of metal on vehicles or vessels).

metal processing, meaning the processing of metals by heating, rolling, melting or casting metal otherwise than in the course of some other activity to which this clause applies.

metal waste generation, meaning any activity that involves:

- (a) the refinement, processing or coating of metal, and
- (b) having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).

non-ferrous metal production (ore concentrates), meaning the refinement or processing of mainly ore concentrates (including copper, zinc and lead ores, but not iron ore or alumina) to produce non-ferrous metal products.

non-ferrous metal production (scrap metal), meaning the refinement or processing of mainly scrap metal (including copper, zinc and lead, but not iron, steel or aluminium) to produce non-ferrous metal products.

scrap metal processing, meaning the crushing, grinding, shredding or sorting (but not smelting) of scrap metal of any kind.

- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
aluminium production (alumina)	capacity to process more than 10,000 tonnes of alumina per year
aluminium production (scrap metal)	capacity to process more than 10,000 tonnes of scrap metal per year
iron or steel production (iron ore)	capacity to process more than 10,000 tonnes of iron ore per year
iron or steel production (scrap metal)	capacity to process more than 10,000 tonnes of scrap metal per year
metal coating	capacity to process more than 10,000 tonnes of metal per year

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Column 1	Column 2
Activity	Criteria
metal processing	capacity to process more than 10,000 tonnes of metal per year
metal waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)
non-ferrous metal production (ore concentrates)	capacity to process more than 10,000 tonnes of ore concentrates per year
non-ferrous metal production (scrap metal)	capacity to process more than 10,000 tonnes of scrap metal per year
scrap metal processing	capacity to process more than 150 tonnes of scrap metal per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)

27 Mineral processing

- (1) This clause applies to the following activities:
 - mineral processing*, meaning the processing, or the commercial production or extraction, of ores (using methods including chemical, electrical, magnetic, gravity or physical-chemical).
 - mineral waste generation*, meaning mineral processing that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

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Table	
Column 1	Column 2
Activity	Criteria
mineral processing	capacity to process more than 150 tonnes of ore per day
mineral waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)

28 Mining for coal

- (1) This clause applies to *mining for coal*, meaning the mining, processing or handling of coal (including tailings and chitter) at underground mines or open cut mines.
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
 - (a) it has a capacity to produce more than 500 tonnes of coal per day, or
 - (b) it has disturbed, is disturbing or will disturb a total surface area of more than 4 hectares of land by:
 - (i) clearing or excavating, or
 - (ii) constructing dams, ponds, drains, roads, railways or conveyors, or
 - (iii) storing or depositing overburden or coal (including tailings and chitter).

29 Mining for minerals

- (1) This clause applies to *mining for minerals*, meaning the mining, processing or handling of minerals (within the meaning of the *Mining Act 1992*), other than coal, at mines.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it has disturbed, is disturbing or will disturb a total surface area of more than 4 hectares of land (or, in the case of a gold mine, more than 1 hectare of land) by:
 - (a) clearing or excavating, or
 - (b) constructing dams, ponds, drains, roads, railways or conveyors, or

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- (c) storing or depositing overburden, ore or its products or tailings.

30 Paper or pulp production

- (1) This clause applies to the following activities:
paper or pulp production, meaning the manufacturing of paper, paper pulp or pulp products.
paper or pulp waste generation, meaning a paper or pulp activity that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
paper or pulp production	capacity to produce more than 30,000 tonnes per year (or, where 90% or more of the raw material used is recycled material and no bleaching or de-inking occurs, 70,000 tonnes per year) of paper, paper pulp or pulp products
paper or pulp waste generation	involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne)

31 Petroleum and fuel production

- (1) This clause applies to the following activities:
crude oil/shale oil production, meaning the production, otherwise than in the course of exploratory activities, of crude petroleum or shale oil.
natural gas/methane production, meaning the production of natural gas or methane.
petroleum products and fuel production, meaning the production of petroleum products (including aviation fuel, petrol, kerosene, mineral turpentine, fuel oils, lubricants, wax, bitumen,

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liquefied gas and the precursors to petrochemicals, such as acetylene, ethylene, toluene and xylene), whether by means of any of the following or otherwise:

- (a) refining (such as in the processing of crude petroleum or shale oil),
 - (b) fermentation (such as in the production of ethanol),
 - (c) esterification (such as in the production of biodiesel),
 - (d) blending (such as in the production of lubricants and fuels).
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

Table

Column 1	Column 2
Activity	Criteria
crude oil/shale oil production	any production capacity
natural gas/methane production	capacity to produce more than 5 petajoules of natural gas or methane per year
petroleum products and fuel production	capacity to produce more than 100 tonnes of petroleum products or fuel per year

32 Printing, packaging and visual communications

- (1) This clause applies to *printing, packaging and visual communications waste generation*, meaning any printing, packaging or visual communications activity that involves having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).
- (2) The activity to which this clause applies is declared to be a scheduled activity if it involves having on site at any time more than 5 tonnes of prescribed waste, not including excluded material (where 1,000 litres of liquid is taken to weigh 1 tonne).

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33 Railway systems activities

- (1) This clause applies to *railway systems activities*, meaning:
 - (a) the installation, on site repair, on site maintenance or on site upgrading of track, including the construction or significant alteration of any ancillary works, or
 - (b) the operation of rolling stock on track.
- (2) However, this clause does not apply to any of the following:
 - (a) an activity in a railway workshop (including the use of fuel burning equipment),
 - (b) re-fuelling of rolling stock,
 - (c) an activity at a railway fuel depot,
 - (d) repair, maintenance or upgrading of track away from the track site,
 - (e) an activity at a railway station building (including platforms and offices),
 - (f) loading of freight into or onto, and unloading of freight from, rolling stock,
 - (g) an activity at a freight depot or centre,
 - (h) operation of signalling, communication or train control systems.
- (3) The activity to which this clause applies is declared to be a scheduled activity.
- (4) For the purposes of subclause (1) (b), rolling stock that is operated on track is taken to be operated by the occupier of the land on which the track is situated.

Note. Consequently, it is the occupier of that land, not the person having control of the rolling stock, that is required to be licensed under section 48 in respect of the operation of the rolling stock.
- (5) In this clause:

ancillary works means any of the following:

 - (a) over track structures,
 - (b) earthworks,
 - (c) cuttings,
 - (d) drainage works,
 - (e) track support,
 - (f) fencing,
 - (g) tunnels,

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- (h) bridges,
- (i) level crossings.

track means railway track that forms part of, or consists of, a network of more than 30 kilometres of track, other than railway track that is used solely by railway vehicles that are themselves used solely for heritage purposes.

34 Resource recovery

- (1) This clause applies to the following activities:
 - recovery of general waste**, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing, otherwise than for the recovery of energy.
 - recovery of hazardous and other waste**, meaning the receiving of hazardous waste, restricted solid waste or special waste (other than asbestos waste or waste tyres) from off site and its processing, otherwise than for the recovery of energy.
 - recovery of waste oil**, meaning the receiving of waste oil from off site and its processing, otherwise than for the recovery of energy.
 - recovery of waste tyres**, meaning the receiving of waste tyres from off site and their processing, otherwise than for the recovery of energy.
- (2) However, this clause does not apply to any of the following:
 - (a) materials separation and sorting of less than 60 tonnes per year of waste lead acid batteries,
 - (b) the treatment of sewage within a sewage treatment system (whether or not that system is licensed),
 - (c) the recovery of stormwater.
- (3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if:
 - (a) it meets the criteria set out in Column 2 of that Table, and
 - (b) either:
 - (i) less than 50% by weight of the waste received in any year requires disposal after processing, or
 - (ii) the regulations under section 286 exempt the person carrying out the activity from the requirements of section 48 (2) as they apply to waste disposal (application to land), waste disposal (thermal treatment), waste processing (non-thermal treatment) and waste storage.

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Table

Column 1	Column 2
Activity	Criteria
recovery of general waste	involves having on site at any time more than 5,000 tonnes of waste involves processing more than 120 tonnes of waste per day or 30,000 tonnes of waste per year
recovery of hazardous and other waste	involves having on site at any time more than 200 kilograms of waste
recovery of waste oil	involves processing more than 20 tonnes of waste oil per year or having on site at any time more than 2,000 litres of waste oil
recovery of waste tyres	involves having on site at any time more than 50 tonnes of tyres (where 100 tyres are taken to weigh 1 tonne) involves processing more than 20 tonnes of tyres per day or 5,000 tonnes of tyres per year

35 Road construction

- (1) This clause applies to *road construction*, meaning the construction, widening or re-routing of roads, but does not apply to the maintenance or operation of any such road.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it results in the existence of 4 or more traffic lanes (other than bicycle lanes or lanes used for entry or exit) for at least:
 - (a) where the road is classified, or proposed to be classified, as a freeway or tollway under the *Roads Act 1993*:
 - (i) 1 kilometre of their length in the metropolitan area, or
 - (ii) 5 kilometres of their length in any other area, or

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- (b) where the road is classified, or proposed to be classified, as a main road (but not a freeway or tollway) under the *Roads Act 1993*:
 - (i) 3 kilometres of their length in the metropolitan area, or
 - (ii) 5 kilometres of their length in any other area.

36 Sewage treatment

- (1) This clause applies to *sewage treatment*, meaning the operation of sewage treatment systems (including the treatment works, pumping stations, sewage overflow structures and the reticulation system) that involve the discharge or likely discharge of wastes or by-products to land or waters.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it has a processing capacity that exceeds:
 - (a) 2,500 persons equivalent, as determined in accordance with guidelines established by an EPA Gazettal notice, or
 - (b) 750 kilolitres per day,whichever is the greater.

37 Shipping in bulk

- (1) This clause applies to *shipping in bulk*, meaning the operation of wharves and associated facilities for the bulk loading or unloading of agricultural crop products, rock, ores, minerals or chemicals into or from vessels (except where they are contained in shipping containers).
- (2) The activity to which this clause applies is declared to be a scheduled activity if the facilities have a capacity to handle:
 - (a) more than 500 tonnes of agricultural crop products, rock, ores, minerals or chemicals per day, or
 - (b) more than 50,000 tonnes of agricultural crop products, rock, ores, minerals or chemicals per year.

38 Sterilisation activities

- (1) This clause applies to *sterilisation activities*, meaning the sterilisation of products or equipment by means that include the use of ethylene oxide.
- (2) The activity to which this clause applies is declared to be a scheduled activity if it involves the use of more than one tonne of ethylene oxide per year.

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39 Waste disposal (application to land)

- (1) This clause applies to *waste disposal by application to land*, meaning the application to land of waste received from off site, including (but not limited to) application by any of the following methods:
 - (a) spraying, spreading or depositing on the land,
 - (b) ploughing, injecting or mixing into the land,
 - (c) filling, raising, reclaiming or contouring the land.
- (2) However, this clause does not apply to an activity that involves any of the following:
 - (a) landfill sites inside the regulated area that, over any period of time, receive from off site a total of no more than 200 tonnes of the following waste (and no other waste):
 - (i) building and demolition waste only,
 - (ii) building and demolition waste mixed with virgin excavated natural material,
 - (b) landfill sites outside the regulated area that, over any period of time, receive from off site a total of no more than 200 tonnes of the following waste (and no other waste):
 - (i) building and demolition waste only,
 - (ii) building and demolition waste mixed with virgin excavated natural material,being waste generated inside the regulated area,
 - (c) landfill sites outside the regulated area that, over any period of time, receive from off site a total of no more than 20,000 tonnes of the following waste (and no other waste):
 - (i) building and demolition waste only,
 - (ii) building and demolition waste mixed with virgin excavated natural material,being waste generated outside the regulated area,
 - (d) landfill sites that receive from off site no more than 100 tonnes of waste tyres per year or 10,000 waste tyres in total over any period (and no other waste),
 - (e) landfill sites where only virgin excavated natural material is received from off site and applied to land,
 - (f) landfill sites that:
 - (i) are outside the regulated area, and
 - (ii) are owned and operated by or on behalf of a local council, and

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- (iii) were in existence immediately before 28 April 2008, and
 - (iv) were not required to be licensed before 28 April 2008, and
 - (v) had, before 28 April 2008, provided the details required under clause 47 of the *Protection of the Environment Operations (Waste) Regulation 2005*, and
 - (vi) receive from off site less than 5,000 tonnes per year of general solid waste (putrescible), general solid waste (non-putrescible), clinical and related waste, asbestos waste, grease trap waste or waste tyres (or any combination of them), but only if the waste has been generated outside the regulated area.
- (3) The activity to which this clause applies is declared to be a scheduled activity.
 - (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.

40 Waste disposal (thermal treatment)

- (1) This clause applies to the following activities:
 - thermal treatment of general waste*, meaning the receiving from off site of, and the processing by thermal treatment of, waste (other than hazardous waste, restricted solid waste, liquid waste or special waste).
 - thermal treatment of hazardous and other waste*, meaning the receiving from on site or off site of, and the processing by thermal treatment of, hazardous waste, restricted solid waste, liquid waste or special waste.
- (2) However, this clause does not apply to the treatment of contaminated soil or stormwater, or the treatment of sewage within a sewage treatment system (whether or not that system is licensed).
- (3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.
- (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.

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Table	
Column 1	Column 2
Activity	Criteria
thermal treatment of general waste	involves processing more than 200 tonnes of waste per year
thermal treatment of hazardous and other waste	involves having on site at any time more than 200 kilograms of waste (other than clinical and related waste) involves having on site at any time any quantity of clinical and related waste

41 Waste processing (non-thermal treatment)

- (1) This clause applies to the following activities:
 - non-thermal treatment of general waste*, meaning the receiving of waste (other than hazardous waste, restricted solid waste, liquid waste or special waste) from off site and its processing otherwise than by thermal treatment.
 - non-thermal treatment of hazardous and other waste*, meaning the receiving of hazardous waste, restricted solid waste, liquid waste, clinical and related waste or asbestos waste, whether from on site or off site, and its processing otherwise than by thermal treatment.
 - non-thermal treatment of waste tyres*, meaning the receiving of waste tyres from off site and their processing otherwise than by thermal treatment.
- (2) However, this clause does not apply to any of the following:
 - (a) processing of contaminated soil or stormwater, or sewage within a sewage treatment system (whether or not that system is licensed),
 - (b) the storage and transfer of liquid waste that is generated and treated on site prior to sewer discharge, or lawful discharge to waters.
- (3) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if:
 - (a) it meets the criteria set out in Column 2 of that Table, and
 - (b) more than 50% by weight of the total amount of waste received per year requires disposal after processing.

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- (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.

Table

Column 1	Column 2
Activity	Criteria
non-thermal treatment of general waste	involves having on site at any time more than 2,500 tonnes, or 2,500 cubic metres, whichever is the lesser, of general waste involves processing more than 120 tonnes per day, or 30,000 tonnes per year, of general waste
non-thermal treatment of hazardous and other waste	involves having on site at any time more than 200 kilograms of waste (other than clinical and related waste) involves having on site at any time any quantity of clinical and related waste
non-thermal treatment of waste tyres	involves having on site at any time more than 50 tonnes of tyres (where 100 tyres are taken to weigh 1 tonne) involves processing more than 20 tonnes of tyres per day or 5,000 tonnes of tyres per year

42 Waste storage

- (1) This clause applies to **waste storage**, meaning the receiving from off site and storing (including storage for transfer) of waste.
- (2) However, this clause does not apply to any of the following:
- the storage of stormwater,
 - the storage of up to 60 tonnes at any time of grease trap waste, waste lead acid batteries or waste oil collected for recovery (but not when accompanied by any other kind of waste),
 - the storage of sewage within a sewage treatment system,
 - the storage and transfer of liquid waste that is generated and treated on site prior to sewer discharge, or lawful discharge to waters.

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- (3) The activity to which this clause applies is declared to be a scheduled activity if:
- (a) more than 5 tonnes of hazardous waste, restricted solid waste, liquid waste, clinical or related waste or asbestos waste is stored on the premises at any time, or
 - (b) more than 50 tonnes of waste tyres or 5,000 waste tyres is stored on the premises at any time, or
 - (c) more than 2,500 tonnes or 2,500 cubic metres, whichever is the lesser, of waste (other than waste referred to in paragraph (a) or (b)) is stored on the premises at any time, or
 - (d) more than 30,000 tonnes of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site.
- (4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.

43 Wood or timber milling or processing

- (1) This clause applies to *wood or timber milling or processing*, meaning the sawing, machining, milling, chipping, pulping or compressing of timber or wood (otherwise than at a joinery, builders' supply yard or home improvement centre).
- (2) The activity to which this clause applies is declared to be a scheduled activity if:
- (a) in the case of an activity that burns waste (otherwise than as fuel), it has a capacity to process more than 6,000 cubic metres of timber (or timber products) per year, or
 - (b) in any other case, it has a capacity to process more than 50,000 cubic metres of timber (or timber products) per year.

44 Wood preservation

- (1) This clause applies to *wood preservation*, meaning the treating or preserving timber with pesticides (within the meaning of the *Pesticides Act 1999*).
- (2) The activity to which this clause applies is declared to be a scheduled activity if it has a capacity to process more than 10,000 cubic metres of timber per year.

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Part 2 Activities not premises-based

45 Application of Part

For the purposes of section 49, any activity that is declared by this Part to be a scheduled activity is taken to be an activity for which a licence is required, but where no licence is required for the premises at which it is carried out (the activity is *not premises-based*).

Note. Section 49 (2) provides that a person who carries on such an activity is guilty of an offence unless he or she holds a licence that authorises him or her to carry on that activity.

46 Mobile plant activities

- (1) This clause applies to a *mobile plant activity*, meaning an activity that includes any one or more of the scheduled activities described in Part 1 of this Schedule and that is carried out by means of mobile plant.
- (2) The activity to which this clause applies is declared to be a scheduled activity.

47 Mobile waste processing

- (1) This clause applies to *mobile waste processing*, meaning an activity:
 - (a) that involves the processing of hazardous waste, liquid waste or restricted solid waste (or any combination of them), and
 - (b) that is carried out, for business or commercial purposes, by means of mobile plant.
- (2) The activity to which this clause applies is declared to be a scheduled activity.

48 Transport of waste

- (1) This clause applies to the following activities:

transport of hazardous and other waste, meaning the transport of hazardous waste, restricted solid waste, liquid waste, clinical and related waste or friable asbestos waste (or any combination of them) (not being excluded waste).

transport of waste tyres, meaning the transport of waste tyres (not being excluded waste).
- (2) Each activity referred to in Column 1 of the Table to this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.

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- (3) In this clause, *excluded waste* means the following:
 - (a) waste that is transported in the course of dealing with an accident or emergency,
 - (b) lead acid batteries or waste oil collected for recovery,
 - (c) stormwater.

Table

Column 1	Column 2
Activity	Criteria
transport of hazardous and other waste	involves the transport of more than 200 kilograms in any load
transport of waste tyres	involves the transport of more than 2 tonnes in any load

Part 3 Definitions

Division 1 Waste classifications

49 Definitions of waste classifications

In this Schedule:

general solid waste (non-putrescible) means waste (other than special waste, hazardous waste, restricted solid waste, general solid waste (putrescible) or liquid waste) that includes any of the following:

- (a) glass, plastic, rubber, plasterboard, ceramics, bricks, concrete or metal,
- (b) paper or cardboard,
- (c) household waste from municipal clean-up that does not contain food waste,
- (d) waste collected by or on behalf of local councils from street sweeping,
- (e) grit, sediment, litter and gross pollutants collected in, and removed from, stormwater treatment devices or stormwater management systems, that has been dewatered so that it does not contain free liquids,
- (f) grit and screenings from potable water and water reticulation plants that has been dewatered so that it does not contain free liquids,
- (g) garden waste,

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- (h) wood waste,
 - (i) waste contaminated with lead (including lead paint waste) from residential premises or educational or child care institutions,
 - (j) containers, having previously contained dangerous goods, from which residues have been removed by washing or vacuuming,
 - (k) drained oil filters (mechanically crushed), rags and oil absorbent materials that only contain non-volatile petroleum hydrocarbons and do not contain free liquids,
 - (l) drained motor oil containers that do not contain free liquids,
 - (m) non-putrescible vegetative waste from agriculture, silviculture or horticulture,
 - (n) building cavity dust waste removed from residential premises, or educational or child care institutions, being waste that is packaged securely to prevent dust emissions and direct contact,
 - (o) synthetic fibre waste (from materials such as fibreglass, polyesters and other plastics) being waste that is packaged securely to prevent dust emissions, but excluding asbestos waste,
 - (p) virgin excavated natural material,
 - (q) building and demolition waste,
 - (r) asphalt waste (including asphalt resulting from road construction and waterproofing works),
 - (s) biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the *Biosolids Guidelines*,
 - (t) cured concrete waste from a batch plant,
 - (u) fully cured and set thermosetting polymers and fibre reinforcing resins,
 - (v) fully cured and dried residues of resins, glues, paints, coatings and inks,
 - (w) anything that is classified as general solid waste (non-putrescible) pursuant to an EPA Gazettal notice,
 - (x) anything that is general solid waste (non-putrescible) within the meaning of the *Waste Classification Guidelines*,
 - (y) any mixture of anything referred to in paragraphs (a)–(x).

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general solid waste (putrescible) means waste (other than special waste, hazardous waste, restricted solid waste or liquid waste) that includes any of the following:

- (a) household waste containing putrescible organics,
- (b) waste from litter bins collected by or on behalf of local councils,
- (c) manure and nightsoil,
- (d) disposable nappies, incontinence pads or sanitary napkins,
- (e) food waste,
- (f) animal waste,
- (g) grit or screenings from sewage treatment systems that have been dewatered so that the grit or screenings do not contain free liquids,
- (h) anything that is classified as general solid waste (putrescible) pursuant to an EPA Gazettal notice,
- (i) anything that is general solid waste (putrescible) within the meaning of the *Waste Classification Guidelines*,
- (j) a mixture of anything referred to in paragraphs (a)–(i).

hazardous waste means waste (other than special waste or liquid waste) that includes any of the following:

- (a) anything that is classified as:
 - (i) a substance of Class 1, 2, 5 or 8 within the meaning of the *Transport of Dangerous Goods Code*, or
 - (ii) a substance to which Division 4.1, 4.2, 4.3 or 6.1 of the *Transport of Dangerous Goods Code* applies,
- (b) containers, having previously contained:
 - (i) a substance of Class 1, 3, 4, 5 or 8 within the meaning of the *Transport of Dangerous Goods Code*, or
 - (ii) a substance to which Division 6.1 of the *Transport of Dangerous Goods Code* applies,

from which residues have not been removed by washing or vacuuming,

- (c) coal tar or coal tar pitch waste (being the tarry residue from the heating, processing or burning of coal or coke) comprising more than 1% (by weight) of coal tar or coal tar pitch waste,

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- (d) lead-acid or nickel-cadmium batteries (being waste generated or separately collected by activities carried out for business, commercial or community services purposes),
 - (e) lead paint waste arising otherwise than from residential premises or educational or child care institutions,
 - (f) anything that is classified as hazardous waste pursuant to an EPA Gazettal notice,
 - (g) anything that is hazardous waste within the meaning of the *Waste Classification Guidelines*,
 - (h) a mixture of anything referred to in paragraphs (a)–(g).

liquid waste means any waste (other than special waste) that includes any of the following:

- (a) anything that:
 - (i) has an angle of repose of less than 5 degrees above horizontal, or
 - (ii) becomes free-flowing at or below 60°C or when it is transported, or
 - (iii) is generally not capable of being picked up by a spade or shovel,
- (b) anything that is classified as liquid waste pursuant to an EPA Gazettal notice.

restricted solid waste means any waste (other than special waste, hazardous waste or liquid waste) that includes any of the following:

- (a) anything that is restricted solid waste within the meaning of the *Waste Classification Guidelines*,
- (b) anything that is classified as restricted solid waste pursuant to an EPA Gazettal notice.

special waste means any of the following:

- (a) clinical and related waste,
- (b) asbestos waste,
- (c) waste tyres,
- (d) anything that is classified as special waste pursuant to an EPA Gazettal notice.

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Division 2 Other definitions

50 Other definitions

(1) In this Schedule:

animal waste includes dead animals and animal parts and any mixture of dead animals and animal parts.

asbestos means the fibrous form of those mineral silicates that belong to the serpentine or amphibole groups of rock-forming minerals, including actinolite, amosite (brown asbestos), anthophyllite, chrysotile (white asbestos), crocidolite (blue asbestos) and tremolite.

asbestos waste means any waste that contains asbestos.

Australian Explosives Code means the document entitled *Australian Code for the Transport of Explosives by Road and Rail*, published by the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government and as in force from time to time.

biosolids means the organic product that results from sewage treatment processes (sometimes referred to as sewage sludge).

Biosolids Guidelines means the document entitled *Environmental Guidelines: Use and Disposal of Biosolids Products*, published by the EPA and as in force from time to time, copies of which are held in the offices of the EPA.

Note. A copy of the guidelines is available on the EPA's website (www.environment.nsw.gov.au).

building and demolition waste means unsegregated material (other than material containing asbestos waste) that results from:

- (a) the demolition, erection, construction, refurbishment or alteration of buildings other than:
 - (i) chemical works, or
 - (ii) mineral processing works, or
 - (iii) container reconditioning works, or
 - (iv) waste treatment facilities, or
- (b) the construction, replacement, repair or alteration of infrastructure development such as roads, tunnels, sewage, water, electricity, telecommunications and airports,

and includes materials such as:

- (c) bricks, concrete, soil, paper, plastics, glass and metal, and

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- (d) timber, including unsegregated timber, that may contain timber treated with chemicals such as copper chrome arsenate (CCA), high temperature creosote (HTC), pigmented emulsified creosote (PEC) and light organic solvent preservative (LOSP).

clinical and related waste means:

- (a) clinical waste, or
- (b) cytotoxic waste, or
- (c) pharmaceutical, drug or medicine waste, or
- (d) sharps waste.

clinical waste means any waste resulting from medical, nursing, dental, pharmaceutical, skin penetration or other related clinical activity, being waste that has the potential to cause injury, infection or offence, and includes waste containing any of the following:

- (a) human tissue (other than hair, teeth and nails),
- (b) bulk body fluids or blood,
- (c) visibly blood-stained body fluids, materials or equipment,
- (d) laboratory specimens or cultures,
- (e) animal tissue, carcasses or other waste from animals used for medical research,

but does not include any such waste that has been treated by a method approved in writing by the Director-General of the Department of Health.

coal includes any other carbonaceous material.

contaminated soil means soil that contains a substance at a concentration above the concentration at which the substance is normally present in soil from the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment, where ***harm to the environment*** includes any direct or indirect alteration of the environment that has the effect of degrading the environment.

cytotoxic waste means any substance contaminated with any residues or preparations that contain materials that are toxic to cells principally through their action on cell reproduction.

dangerous goods has the same meaning as it has in the *Transport of Dangerous Goods Code*.

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effluent means:

- (a) waste water from sewage collection or treatment plants, or
- (b) waste water from collection or treatment systems that are ancillary to processing industries involving livestock, agriculture, wood, paper or food, being waste water that is conveyed from the place of generation by means of a pipe, canal or conventional method used in irrigation (but not by means of a tanker or truck), or
- (c) waste water from collection or treatment systems that are ancillary to intensive livestock, aquaculture or mariculture, being waste water that is released by means of a pipe, canal or other conventional method used in irrigation as part of day to day farming operations.

electricity plant includes all associated water storage, ash recovery and waste management facilities.

EPA Gazettal notice means a notice that has been published in the Gazette by the EPA, copies of which are held in the offices of the EPA.

Note. A copy of each EPA Gazettal notice is available on the EPA's website (www.environment.nsw.gov.au).

excluded material means contaminated soil, grease trap waste, waste stored prior to its lawful discharge to a sewer or waters, septic tank waste, stormwater or recoverable oil or oil and water mixture.

explosives has the same meaning as it has in the *Australian Explosives Code*.

food waste means waste from the manufacture, preparation, sale or consumption of food but does not include grease trap waste.

friable asbestos waste means asbestos waste:

- (a) that is in the form of a powder, or
- (b) that can be crumbled or reduced to powder by hand pressure when dry.

garden waste means waste that consists of branches, grass, leaves, plants, loppings, tree trunks, tree stumps and similar materials, and includes any mixture of those materials.

grease trap waste means any grease, oil, solids, water or other matter:

- (a) that results from the preparation or manufacturing of food, and
- (b) that is collected in a grease trap in the usual course of the operation of the grease trap.

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manure includes any mixture of manure and biodegradable animal bedding (such as straw).

metropolitan area means the area of Sydney, Newcastle, Central Coast and Wollongong bounded by and including the local government areas of Newcastle, Lake Macquarie, Wyong, Gosford, Hawkesbury, Blue Mountains, Penrith, Liverpool, Camden, Campbelltown, Wollongong and Shellharbour.

mobile plant means any equipment or machinery that:

- (a) is capable of carrying on any one or more of the activities referred to in Part 1 of this Schedule, and
- (b) is capable of moving under its own motive power or being transported, and
- (c) is operated at a particular site on a temporary basis only (that is, for a total period of not more than 6 months in any 12-month period),

but does not include rolling stock.

natural organic fibrous materials means bagasse, peat, seed hulls and husks, straw and the like, and includes any mixture of those materials.

on site—see subclause (2).

organics means natural organic fibrous materials of waste and non-waste origin, including:

- (a) putrescible organics (such as meat, fish, poultry, fruit, vegetable and their cooked or processed products, biosolids and animal materials), and
- (b) non-putrescible organics (such as timber, garden trimmings, agricultural, forestry and crop materials, and natural fibrous organic and vegetative materials),

but does not include:

- (c) human-made organic chemicals (such as solvents, industrial, agricultural, mining, household chemical cleaning agents and personal care products), or
- (d) naturally occurring organic chemicals that have been refined and concentrated by human activity (such as oil, petrol, diesel and coal tar).

pharmaceutical, drug or medicine waste means waste:

- (a) that has been generated by activities carried out for business or commercial purposes, and

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- (b) that consists of pharmaceutical or other chemical substances specified in the Poisons List made under section 8 of the *Poisons and Therapeutic Goods Act 1966*.

regulated area means the area comprising the local government areas of Ashfield, Auburn, Bankstown, Baulkham Hills, Blacktown, Botany, Burwood, Camden, Campbelltown, Canada Bay, Canterbury, Cessnock, Fairfield, Gosford, Hawkesbury, Holroyd, Hornsby, Hunters Hill, Hurstville, Kiama, Kogarah, Ku-ring-gai, Lake Macquarie, Lane Cove, Leichhardt, Liverpool, Maitland, Manly, Marrickville, Mosman, Newcastle, North Sydney, Parramatta, Penrith, Pittwater, Port Stephens, Randwick, Rockdale, Ryde, Shellharbour, Shoalhaven, Strathfield, Sutherland, Sydney, Warringah, Waverley, Willoughby, Wingecarribee, Wollongong, Woollahra and Wyong.

rolling stock means:

- (a) railway vehicles used or intended to be used to transport passengers or freight for reward, or
- (b) railway vehicles used or intended to be used to maintain railway track and equipment (whether or not for reward),

but does not include railway vehicles that are used solely for heritage purposes.

sharps means those things:

- (a) that have sharp points or edges capable of cutting, piercing or penetrating the skin (such as needles, syringes with needles or surgical instruments), and
- (b) that are designed for the purpose of cutting, piercing or penetrating the skin, and
- (c) that have the potential to cause injury or infection.

sharps waste means any waste collected from designated sharps waste containers used in the course of business, commercial or community service activities, being waste resulting from the use of sharps for any of the following purposes:

- (a) human health care by health professionals and other health care providers,
- (b) medical research or work on cadavers,
- (c) veterinary care or veterinary research,
- (d) skin penetration or the injection of drugs or other substances for medical or non-medical reasons,

but does not include waste that has been treated on the site where it was generated, and to a standard specified in an EPA Gazettal notice.

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thermal treatment means the processing of wastes by burning, incineration, thermal oxidation, gasification, pyrolysis, plasma or other thermal treatment processes.

toxic substance has the same meaning as it has in the *Transport of Dangerous Goods Code*.

Transport of Dangerous Goods Code means the document called the *Australian Code for the Transport of Dangerous Goods by Road and Rail* (7th edition) approved by the Ministerial Council for Road Transport and published by the Commonwealth Government from time to time.

virgin excavated natural material means natural material (such as clay, gravel, sand, soil or rock fines):

- (a) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and
- (b) that does not contain any sulfidic ores or soils or any other waste,

and includes excavated natural material that meets such criteria for virgin excavated natural material as may be approved for the time being pursuant to an EPA Gazettal notice.

Waste Classification Guidelines means the document entitled *Waste Classification Guidelines*, published by the EPA and as in force from time to time, copies of which are held in the offices of the EPA.

Note. A copy of the guidelines is available on the EPA's website (www.environment.nsw.gov.au).

waste tyres means used, rejected or unwanted tyres, including shredded tyres or tyre pieces.

wood waste means sawdust, timber offcuts, wooden crates, wooden packaging, wooden pallets, wood shavings and similar materials, and includes any mixture of those materials, but does not include wood treated with chemicals such as copper chrome arsenate (CCA), high temperature creosote (HTC), pigmented emulsified creosote (PEC) and light organic solvent preservative (LOSP).

- (2) A reference to something being done in relation to waste **on site** is a reference to that thing being done only on the premises on which the waste was generated.

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(Clause 4)

[1] Clause 3 Definitions

Insert at the end of the clause:

- (2) Terms used in Schedule 1 to this Regulation that are defined in Schedule 1 to the Act have the same meanings as they have in Schedule 1 to the Act.

[2] Clause 6 Fee units

Omit clause 6 (4).

[3] Clause 44 Commencement of licensing requirement for existing activities not previously required to be licensed: sec 52 (1)

Insert “except as otherwise provided by this clause” after “months” in clause 44 (1).

[4] Clause 44 (2)

Omit “However, in”. Insert instead “In”.

[5] Clause 44 (3)

Insert after clause 44 (2):

- (3) The prescribed period in relation to sterilisation activities is the period ending 28 July 2008.

Note. Sterilisation activities became licensable on 28 April 2008 as a consequence of the replacement of Schedule 1 to the Act by the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008*.

[6] Clause 57S Meaning of certain expressions

Omit the definition of *non-hazardous agricultural or crop waste*.

Insert instead:

non-hazardous agricultural or crop waste means agricultural or crop waste that is not hazardous waste or restricted solid waste within the meaning of Schedule 1 to the Act.

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[7] **Clause 67B**

Insert as clause 67B in Part 4.6:

67B Existing waste activities

The EPA is declared, under section 6 (3) of the Act, to be the appropriate regulatory authority for any non-scheduled activity that, immediately before 28 April 2008 (the commencement of the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008*), was licensed as a waste activity (within the meaning of Schedule 1 to the Act, as then in force) but only for so long as that waste activity continues.

[8] **Part 4.9**

Insert after Part 4.8:

Part 4.9 Savings and transitional provisions

79 Definitions

In this Part:

existing licence means a licence that was in force immediately before 28 April 2008, but does not include a licence for an activity that has ceased to be a scheduled activity as a consequence of the commencement of the 2008 amending Regulation unless the licence:

- (a) has, under the new rules, become a licence for a different kind of scheduled activity, or
- (b) continues to authorise the pollution of water for the purposes of section 122 of the Act.

the 2008 amending Regulation means the *Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008*.

the new rules means Schedule 1 to the Act, as amended by the 2008 amending Regulation, and Schedule 1 to this Regulation, as so amended.

the old rules means Schedule 1 to the Act, as in force immediately before 28 April 2008, and Schedule 1 to this Regulation, as then in force.

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80 Pending applications

- (1) The new rules apply to and in respect of a pending application.
- (2) In this clause, *pending application* means an application for a licence that had been made, but not determined, before 28 April 2008.

81 Existing licences

- (1) Subject to this clause, the old rules continue to apply to and in respect of an existing licence as if the 2008 amending Regulation had not been made.
- (2) The EPA may, for the purposes of this Part, replace an existing licence with a new licence, whether with or without variation.
- (3) A new licence takes effect, and the existing licence it replaces ceases to have effect, when notice of that fact (whether or not accompanied by a copy of the new licence) is served on the licensee.
- (4) To the extent to which the authority conferred by the new licence differs from the authority conferred by the existing licence it replaces, the existing licence is taken to be varied under section 58 of the Act and the Act applies accordingly.
Note. Section 287 of the Act provides for appeals against variations of a licence.
- (5) This clause does not limit the power of the EPA to vary an existing licence under the Act.

82 Changes of classification

- (1) Subject to subclause (2), clause 34 applies to any change in:
 - (a) the classification of any activity, and
 - (b) the fees payable in respect of any activity,
 being a change that arises from the replacement of the old rules by the new rules as if the change arose from a change in the activity itself.
- (2) Clause 34 (2) does not apply in relation to any change referred to in subclause (1).
- (3) For the purposes of clause 34, as applied by subclause (1):
 - (a) any such change is taken to have occurred, in relation to any activity for which a licence was in force immediately before 28 April 2008:

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- (i) at the end of the licence fee period during which that date occurred, or
 - (ii) when the licence is replaced by a new licence, whichever is the later, and
 - (b) if any such change is taken to have occurred at the end of the licence fee period during which 28 April 2008 occurred, the fact that the licence is replaced by a new licence before the end of that period is to be ignored.
 - (4) For the purposes of this clause, any statement that is of the kind referred to in clause 6 (4), as in force immediately before 28 April 2008, and that was included in Schedule 1 to this Regulation, as then in force, is of no effect.

[9] Schedule 1

Omit the Schedule. Insert instead:

Schedule 1 Licensing fees

(Clauses 6, 9, 10, 12, 13, 17, 22, 33 and 43A)

AGRICULTURAL PROCESSING

Dairy processing (see clause 2 (1) of Schedule 1 to the Act)

1 Units of measure: megalitres

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 30,000 megalitres	5
More than 30,000 but not more than 100,000 megalitres	15
More than 100,000 megalitres	50

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

General agricultural processing (see clause 2 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

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AGRICULTURAL PROCESSING

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	15
More than 100,000 but not more than 250,000 tonnes	50
More than 250,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Grape processing (see clause 2 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	15
More than 100,000 but not more than 250,000 tonnes	50
More than 250,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

AQUACULTURE AND MARICULTURE

Aquaculture and mariculture (see clause 3 (1) of Schedule 1 to the Act)

1 Units of measure: megalitres

2 Administrative fee

Annual volume of discharge	Administrative fee units
Not more than 2,000 megalitres	5

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AQUACULTURE AND MARICULTURE

More than 2,000 but not more than 20,000 megalitres	15
More than 20,000 megalitres	50
3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)	

BITUMEN MIXING

Bitumen mixing (see clause 4 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 30,000 tonnes	15
More than 30,000 but not more than 100,000 tonnes	50
More than 100,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

BREWING AND DISTILLING

Brewing and distilling (see clause 5 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	5
More than 10,000 but not more than 20,000 tonnes	50
More than 20,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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CEMENT OR LIME WORKS

Cement or lime handling (see clause 6 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual handling capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	8
More than 100,000 but not more than 500,000 tonnes	25
More than 500,000 but not more than 2,000,000 tonnes	65
More than 2,000,000 tonnes	165

3 Load-based fee (but only if the annual handling capacity exceeds 30,000 tonnes)

Air pollutants	Threshold factor
Coarse particulates	0.23
Fine particulates	0.37
Water pollutants	Threshold factor
Nil	Not applicable

Cement or lime production (see clause 6 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	65
More than 100,000 but not more than 250,000 tonnes	165

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CEMENT OR LIME WORKS

More than 250,000 but not more than 500,000 tonnes	300
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More than 500,000 tonnes	420
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3 Load-based fee (but only if the annual production capacity exceeds 30,000 tonnes)

Air pollutants	Threshold factor
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Coarse particulates	0.23
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Fine particulates	0.37
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Nitrogen oxides and nitrogen oxides (summer)	3.2
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Sulfur oxides	0.16
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Water pollutants	Threshold factor
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Nil	Not applicable
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CERAMIC WORKS

Ceramic waste generation (see clause 7 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee (but only if the activity is a scheduled activity under clause 7 (2) of Schedule 1 to the Act)

Annual volume of waste generated or stored	Administrative fee units
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More than 5 but not more than 100 tonnes	8
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More than 100 tonnes	16
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3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Ceramics production (see clause 7 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
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Not more than 15,000 tonnes	8
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CERAMIC WORKS

More than 15,000 but not more than 50,000 tonnes	25
More than 50,000 but not more than 200,000 tonnes	65
More than 200,000 tonnes	165

3 Load-based fee (but only if the annual production capacity exceeds 15,000 tonnes)

Air pollutants	Threshold factor
Coarse particulates	0.18
Fine particulates	1.58
Fluoride	0.8
Nitrogen oxides and nitrogen oxides (summer)	10.5
Sulfur oxides	18.2
Water pollutants	Threshold factor
Nil	Not applicable

Glass production (see clause 7 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual melting capacity	Administrative fee units
Not more than 15,000 tonnes	8
More than 15,000 but not more than 30,000 tonnes	25
More than 30,000 but not more than 100,000 tonnes	65
More than 100,000 tonnes	165

3 Load-based fee (but only if the annual melting capacity exceeds 15,000 tonnes)

Production of container glass

Air pollutants	Threshold factor
Coarse particulates	0.05
Fine particulates	0.05

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CERAMIC WORKS

Nitrogen oxides and nitrogen oxides (summer)	4.02
Sulfur oxides	3.12
Water pollutants	Threshold factor
Nil	Not applicable
Production of float glass	
Air pollutants	Threshold factor
Coarse particulates	0.11
Fine particulates	0.11
Nitrogen oxides and nitrogen oxides (summer)	2.00
Sulfur oxides	3.64
Water pollutants	Threshold factor
Nil	Not applicable
Production of other glass	
Air pollutants	Threshold factor
Coarse particulates	2.75
Fine particulates	2.75
Nitrogen oxides and nitrogen oxides (summer)	4.29
Sulfur oxides	4.16
Water pollutants	Threshold factor
Nil	Not applicable

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CHEMICAL PRODUCTION

Agricultural fertiliser (inorganic) production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 50,000 tonnes	25
More than 50,000 but not more than 100,000 tonnes	65
More than 100,000 tonnes	165

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Agricultural fertiliser (phosphate) production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 50,000 tonnes	25
More than 50,000 but not more than 100,000 tonnes	65
More than 100,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Coarse particulates	0.022
Fine particulates	0.13
Fluoride	1.1
Water pollutants	Threshold factor
Total phosphorous	0.002

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Schedule 2

CHEMICAL PRODUCTION

Ammonium nitrate production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 50,000 tonnes	25
More than 50,000 but not more than 100,000 tonnes	65
More than 100,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Coarse particulates	0.77
Fine particulates	0.33
Nitrogen oxides and nitrogen oxides (summer)	1.5
Water pollutants	Threshold factor
Total nitrogen	0.11

Battery production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 500 tonnes	15
More than 500 but not more than 1,500 tonnes	50
More than 1,500 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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CHEMICAL PRODUCTION

Chemical production waste generation (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Dangerous goods production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	15
More than 10,000 but not more than 25,000 tonnes	50
More than 25,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Explosives production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	15
More than 2,000 but not more than 10,000 tonnes	50
More than 10,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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Schedule 2

CHEMICAL PRODUCTION

Paints/polishes/adhesives production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 5,000 tonnes	25
More than 5,000 but not more than 15,000 tonnes	65
More than 15,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.27
Fine particulates	5.0
Nitrogen oxides and nitrogen oxides (summer)	3.0
VOCs and VOCs (summer)	8.73
Water pollutants	Threshold factor
Nil	Not applicable

Pesticides and related products production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	15
More than 2,000 but not more than 10,000 tonnes	50
More than 10,000 but not more than 30,000 tonnes	135
More than 30,000 tonnes	335

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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CHEMICAL PRODUCTION

Pesticides and related products (toxic substances) production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	15
More than 2,000 but not more than 10,000 tonnes	50
More than 10,000 but not more than 30,000 tonnes	135
More than 30,000 tonnes	335

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Petrochemical production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	25
More than 10,000 but not more than 30,000 tonnes	65
More than 30,000 but not more than 100,000 tonnes	165
More than 100,000 but not more than 200,000 tonnes	300
More than 200,000 tonnes	420

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.25
Fine particulates	0.02
Nitrogen oxides and nitrogen oxides (summer)	0.96
VOCs and VOCs (summer)	0.5

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Schedule 2

CHEMICAL PRODUCTION

Water pollutants	Threshold factor
Nil	Not applicable

Pharmaceutical and veterinary products production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	15
More than 2,000 but not more than 5,000 tonnes	50
More than 5,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Plastic resins production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	25
More than 2,000 but not more than 10,000 tonnes	65
More than 10,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.5
Fine particulates	5.0
Nitrogen oxides and nitrogen oxides (summer)	3.0
VOCs and VOCs (summer)	8.5
Water pollutants	Threshold factor
Nil	Not applicable

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CHEMICAL PRODUCTION

Plastics reprocessing (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual reprocessing capacity	Administrative fee units
Not more than 5,000 tonnes	25
More than 5,000 but not more than 10,000 tonnes	65
More than 10,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 8 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.5
Fine particulates	5.0
Nitrogen oxides and nitrogen oxides (summer)	3.0
VOCs and VOCs (summer)	8.5
Water pollutants	Threshold factor
Nil	Not applicable

Rubber products/tyres production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 5,000 tonnes	50
More than 5,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Soap and detergents production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

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Schedule 2

CHEMICAL PRODUCTION

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,500 tonnes	15
More than 2,500 but not more than 5,000 tonnes	50
More than 5,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Soap and detergents (toxic substances) production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,500 tonnes	15
More than 2,500 but not more than 5,000 tonnes	50
More than 5,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Synthetic rubber production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 2,000 tonnes	15
More than 2,000 but not more than 5,000 tonnes	50
More than 5,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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CHEMICAL PRODUCTION

Toxic substance production (see clause 8 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	15
More than 10,000 but not more than 25,000 tonnes	50
More than 25,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

CHEMICAL STORAGE

Chemical storage waste generation (see clause 9 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee (but only if the activity is a scheduled activity under clause 9 (2) of Schedule 1 to the Act)

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

General chemicals storage (see clause 9 (1) of Schedule 1 to the Act)

1 Units of measure: kilolitres

2 Administrative fee

Storage capacity	Administrative fee units
Not more than 5,000 kilolitres	8
More than 5,000 but not more than 100,000 kilolitres	25

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Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

CHEMICAL STORAGE

More than 100,000 kilolitres	65
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3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Petroleum products storage (see clause 9 (1) of Schedule 1 to the Act)

1 Units of measure: kilolitres

2 Administrative fee

Storage capacity	Administrative fee units
Not more than 5,000 kilolitres	8
More than 5,000 but not more than 100,000 kilolitres	25
More than 100,000 kilolitres	65

3 Load-based fee

Air pollutants	Threshold factor
Benzene	0.0005
VOCs and VOCs (summer)	0.05
Water pollutants	Threshold factor
Nil	Not applicable

COAL WORKS

Coal works (see clause 10 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual handling capacity	Administrative fee units
Not more than 2,000,000 tonnes	50
More than 2,000,000 but not more than 5,000,000 tonnes	135
More than 5,000,000 tonnes	335

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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COKE PRODUCTION

Coke production (see clause 11 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual handling capacity	Administrative fee units
Not more than 100,000 tonnes	65
More than 100,000 tonnes	165

3 Load-based fee (but only if the activity is a scheduled activity under clause 11 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.072
Benzo(a)pyrene (equivalent)	0.00073
Coarse particulates	0.45
Fine particulates	0.45
Hydrogen sulfide	0.002
Nitrogen oxides and nitrogen oxides (summer)	0.03
Sulfur oxides	0.4
VOCs and VOCs (summer)	0.83
Water pollutants	Threshold factor
Oil and grease	0.011
Suspended solids	0.13
Total PAHs	0.000032
Total phenolics	0.000032

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Schedule 2

COMPOSTING

Composting (see clause 12 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity to receive organics	Administrative fee units
Not more than 5,000 tonnes	5
More than 5,000 but not more than 50,000 tonnes	15
More than 50,000 tonnes	50

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

CONCRETE WORKS

Concrete works (see clause 13 (1) of Schedule 1 to the Act)

1 Units of measure: cubic metres

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 13,000 cubic metres	5
More than 13,000 but not more than 25,000 cubic metres	15
More than 25,000 but not more than 50,000 cubic metres	50
More than 50,000 cubic metres	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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CONTAINER RECONDITIONING

Container reconditioning (see clause 14 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)
 - 2 Administrative fee**

Annual capacity to recondition, recover, treat or store	Administrative fee units
Any capacity	50
 - 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

CONTAMINATED SOIL TREATMENT

Contaminated soil treatment (see clause 15 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)
 - 2 Administrative fee**

Annual handling capacity	Administrative fee units
Any capacity	50
 - 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

CRUSHING, GRINDING OR SEPARATING

Crushing, grinding or separating (see clause 16 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**
- 2 Administrative fee**

Annual processing capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	15
More than 100,000 but not more than 500,000 tonnes	50

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Schedule 2

CRUSHING, GRINDING OR SEPARATING

More than 500,000 but not more than 2,000,000 tonnes	135
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More than 2,000,000 tonnes	335
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- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
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ELECTRICITY GENERATION

Electricity generation (see clause 17 (1) of Schedule 1 to the Act)

- 1 Units of measure: gigawatt-hours**

- 2 Administrative fee**

Annual generating capacity	Administrative fee units
Not more than 450 gigawatt-hours (GWh)	25
More than 450 but not more than 1,000 gigawatt-hours (GWh)	65
More than 1,000 but not more than 4,000 gigawatt-hours (GWh)	165
More than 4,000 gigawatt-hours (GWh)	420

- 3 Load-based fee** (but only if the annual generating capacity exceeds 250 gigawatt-hours)

Generation of electrical power from coal

Air pollutants	Threshold factor
Benzo(a)pyrene (equivalent)	0.0036
Coarse particulates	80.0
Fine particulates	54.0
Fluoride	14.0
Nitrogen oxides and nitrogen oxides (summer)	2,700
Sulfur oxides	5,300
Water pollutants	Threshold factor
Salt	3.6

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ELECTRICITY GENERATION

Selenium	0.14
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Suspended solids	0.18
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Generation of electrical power from gas**Air pollutants****Threshold factor**

Nitrogen oxides and nitrogen oxides (summer)	2,700
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Water pollutants**Threshold factor**

Salt	3.6
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Suspended solids	0.18
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Generation of electrical power otherwise than from coal or from gas
(there are no assessable pollutants and therefore no load-based fee in relation to this activity)

ENERGY RECOVERY

Energy recovery from general waste (see clause 18 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes**2 Administrative fee****Annual capacity****Administrative fee units**

Any capacity	65
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3 Load-based fee**Air pollutants****Threshold factor**

Arsenic	0.00005
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Benzene	0.0000011
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Benzo(a)pyrene	0.00002
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Fine particulates	0.7
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Lead	0.035
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Mercury	0.003
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Nitrogen oxides and nitrogen oxides (summer)	2.5
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Schedule 2

ENERGY RECOVERY

Sulfur oxides 0.07

Water pollutants

Threshold factor

Nil

Not applicable

Energy recovery from hazardous or other waste (see clause 18 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity

Administrative fee units

Any capacity

65

3 Load-based fee

Air pollutants

Threshold factor

Arsenic

0.00005

Benzene

0.0000011

Benzo(a)pyrene

0.00002

Fine particulates

0.7

Lead

0.035

Mercury

0.003

Nitrogen oxides and nitrogen oxides (summer)

2.5

Sulfur oxides

0.07

Water pollutants

Threshold factor

Nil

Not applicable

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EXTRACTIVE ACTIVITIES

Land-based extractive activity (see clause 19 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Extractive, processing or storage capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 50,000 tonnes	15
More than 50,000 but not more than 100,000 tonnes	50
More than 100,000 but not more than 500,000 tonnes	135
More than 500,000 but not more than 2,000,000 tonnes	335
More than 2,000,000 tonnes	600

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Water-based extractive activity (see clause 19 (1) of Schedule 1 to the Act)

1 Units of measure: cubic metres

2 Administrative fee

Extractive capacity	Administrative fee units
Not more than 30,000 cubic metres	5
More than 30,000 but not more than 50,000 cubic metres	15
More than 50,000 but not more than 100,000 cubic metres	50
More than 100,000 but not more than 500,000 cubic metres	135
More than 500,000 but not more than 2,000,000 cubic metres	335
More than 2,000,000 cubic metres	600

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Schedule 2

EXTRACTIVE ACTIVITIES

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

HELICOPTER-RELATED ACTIVITIES

Helicopter-related activity (see clause 20 (1) of Schedule 1 to the Act)

1 Units of measure: flights

2 Administrative fee

Annual flight movement capacity	Administrative fee units
Not more than 1,500 flights	5
More than 1,500 but not more than 5,000 flights	15
More than 5,000 flights	50

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

IRRIGATED AGRICULTURE

Irrigated agriculture (see clause 21 (1) of Schedule 1 to the Act)

1 Units of measure: hectares

2 Administrative fee

Total area of existing area of operations of irrigation corporation	Administrative fee units
Not more than 10,000 hectares	15
More than 10,000 but not more than 100,000 hectares	50
More than 100,000 hectares	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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LIVESTOCK INTENSIVE ACTIVITIES

Animal accommodation (see clause 22 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Live weight capacity to accommodate	Administrative fee units
Not more than 25,000 tonnes	5
More than 25,000 but not more than 60,000 tonnes	15
More than 60,000 tonnes	50

Note. Live weight capacity is to be calculated either by using the actual live weight, or estimating live weight on the basis that 1 tonne live weight equals 2 cattle, 13 goats, 22 sheep, 2 horses, 5 deer, 17 emus, 13 kangaroos, 5 breeding sows, 17 porker or finisher pigs or 11 bacon pigs.

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Bird accommodation (see clause 22 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Live weight capacity to accommodate	Administrative fee units
Not more than 375 tonnes	5
More than 375 but not more than 1,000 tonnes	15
More than 1,000 tonnes	50

Note. Live weight capacity is to be calculated either by using the actual live weight, or estimating live weight on the basis that 1 tonne live weight equals 555 layer chickens, 1,100 broiler chickens, 17 emus, 310 ducks, 165 geese or 110 turkeys.

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Cattle, sheep or horse accommodation (see clause 22 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

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Schedule 2

LIVESTOCK INTENSIVE ACTIVITIES

2 Administrative fee

Live weight capacity to accommodate	Administrative fee units
Not more than 500 tonnes	5
More than 500 but not more than 2,500 tonnes	15
More than 2,500 tonnes	50

Note. Live weight capacity is to be calculated either by using the actual live weight, or estimating live weight on the basis that 1 tonne live weight equals 2 cattle, 13 goats, 2 horses or 22 sheep.

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Dairy animal accommodation (see clause 22 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Live weight capacity to accommodate	Administrative fee units
Not more than 500 tonnes	5
More than 500 but not more than 1,000 tonnes	15
More than 1,000 tonnes	50

Note. Live weight capacity is to be calculated either by using the actual live weight, or estimating live weight on the basis that 1 tonne live weight equals 1.6 milking cows or 13 other dairy animals.

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Pig accommodation (see clause 22 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Live weight capacity to accommodate	Administrative fee units
Not more than 250 tonnes	5
More than 250 but not more than 500 tonnes	15

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LIVESTOCK INTENSIVE ACTIVITIES

More than 500 tonnes	50
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Note. Live weight capacity is to be calculated either by using the actual live weight, or estimating live weight on the basis that 1 tonne live weight equals 5 breeding sows, 62 weaner pigs, 31 grower pigs, 17 porker or finisher pigs or 11 bacon pigs.

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
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LIVESTOCK PROCESSING ACTIVITIES

General animal products production (see clause 23 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual production capacity	Administrative fee units
Not more than 100,000 tonnes	5
More than 100,000 tonnes	15

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Greasy wool or fleece processing (see clause 23 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)

- 2 Administrative fee**

Annual processing capacity	Administrative fee units
Any capacity	5

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Rendering or fat extraction (see clause 23 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual production capacity	Administrative fee units
Not more than 4,000 tonnes	5

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Schedule 2

LIVESTOCK PROCESSING ACTIVITIES

More than 4,000 tonnes	15
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- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Slaughtering or processing animals (see clause 23 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual processing capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 tonnes	15

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Tanneries or fellmongeries (see clause 23 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual processing capacity	Administrative fee units
Not more than 10,000 tonnes	5
More than 10,000 tonnes	15

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

LOGGING OPERATIONS

Logging operations (see clause 24 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)

- 2 Administrative fee**

Annual capacity	Administrative fee units
Any capacity	5,500

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

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MARINAS AND BOAT REPAIRS

Boat construction/maintenance (dry/floating docks) (see clause 25 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual handling capacity	Administrative fee units
Any capacity	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Boat construction/maintenance (general) (see clause 25 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual handling capacity	Administrative fee units
Any capacity	50

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Boat mooring and storage (see clause 25 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual handling capacity	Administrative fee units
Any capacity	15

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

METALLURGICAL ACTIVITIES

Aluminium production (alumina) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Any capacity	420

3 Load-based fee

Air pollutants	Threshold factor
Coarse particulates	5
Fine particulates	12
Fluoride	1
Nitrogen oxides and nitrogen oxides (summer)	0.2
Sulfur oxides	20
Water pollutants	Threshold factor
Nil	Not applicable

Aluminium production (scrap metal) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	65
More than 10,000 tonnes	165

3 Load-based fee

Air pollutants	Threshold factor
Coarse particulates	0.048
Fine particulates	0.066
Fluoride	1

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

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METALLURGICAL ACTIVITIES

Nitrogen oxides and nitrogen oxides (summer)	4
Sulfur oxides	9.6
VOCs and VOCs (summer)	0.68

Water pollutants	Threshold factor
Nil	Not applicable

Iron or steel production (iron ore) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual processing capacity	Administrative fee units
Any capacity	2,650

3 Load-based fee

Air pollutants	Threshold factor
Benzene	0.0011
Benzo(a)pyrene (equivalent)	0.003
Coarse particulates	0.47
Fine particulates	0.38
Hydrogen sulfide	0.018
Nitrogen oxides and nitrogen oxides (summer)	3.81
Sulfur oxides	6.6
VOCs and VOCs (summer)	7

Water pollutants	Threshold factor
Arsenic	0.0091
Cadmium	0.0018
Chromium	0.0054
Copper	0.0036
Lead	0.0018

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Schedule 2

METALLURGICAL ACTIVITIES

Mercury	0.000091
Oil and grease	0.015
Selenium	0.00091
Suspended solids	0.24
Zinc	0.0091

Iron or steel production (scrap metal) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	65
More than 10,000 tonnes	165

3 Load-based fee

Air pollutants	Threshold factor
Coarse particulates	0.085
Fine particulates	0.77
Nitrogen oxides and nitrogen oxides (summer)	1.95
Sulfur oxides	3.38
VOCs and VOCs (summer)	0.09

Water pollutants	Threshold factor
Nil	Not applicable

Metal coating (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity to coat metal	Administrative fee units
Not more than 100,000 tonnes	15
More than 100,000 but not more than 1,000,000 tonnes	50

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

METALLURGICAL ACTIVITIES

More than 1,000,000 tonnes	135
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3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Metal processing (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 100,000 tonnes	15
More than 100,000 but not more than 500,000 tonnes	50
More than 500,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Metal waste generation (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee (but only if the activity is a scheduled activity under clause 26 (2) (b) of Schedule 1 to the Act)

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Non-ferrous metal production (ore concentrates) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Any capacity	660

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

METALLURGICAL ACTIVITIES

3 Load-based fee

Air pollutants	Threshold factor
Arsenic	0.03
Coarse particulates	0.33
Fine particulates	0.49
Lead	0.06
Mercury	0.03
Sulfur oxides	230
Water pollutants	Threshold factor
Arsenic	0.0003
Cadmium	0.0003
Chromium	0.0003
Copper	0.0026
Lead	0.03
Mercury	0.0003
Selenium	0.0003
Suspended solids	0.78
Zinc	0.02

Non-ferrous metal production (scrap metal) (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	65
More than 10,000 tonnes	165

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

METALLURGICAL ACTIVITIES

3 Load-based fee

Air pollutants	Threshold factor
Coarse particulates	0.011
Fine particulates	0.033
Lead	0.002
Nitrogen oxides and nitrogen oxides (summer)	0.57
Sulfur oxides	0.99
VOCs and VOCs (summer)	2.28
Water pollutants	Threshold factor
Nil	Not applicable

Scrap metal processing (see clause 26 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 100,000 tonnes	15
More than 100,000 but not more than 500,000 tonnes	50
More than 500,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

MINERAL PROCESSING

Mineral processing (see clause 27 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 100,000 tonnes	15

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

MINERAL PROCESSING

More than 100,000 but not more than 500,000 tonnes	50
More than 500,000 but not more than 2,000,000 tonnes	135
More than 2,000,000 tonnes	335

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Mineral waste generation (see clause 27 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee (but only if the activity is a scheduled activity under clause 27 (2) of Schedule 1 to the Act)

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

MINING FOR COAL

Mining for coal (see clause 28 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 500,000 tonnes	50
More than 500,000 but not more than 2,000,000 tonnes	135
More than 2,000,000 but not more than 3,500,000 tonnes	335
More than 3,500,000 but not more than 5,000,000 tonnes	600
More than 5,000,000 tonnes	850

	Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008
Schedule 2	Amendment of Protection of the Environment Operations (General) Regulation 1998

MINING FOR COAL

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

MINING FOR MINERALS

Mining for minerals (see clause 29 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual production capacity	Administrative fee units
Not more than 30,000 tonnes	5
More than 30,000 but not more than 50,000 tonnes	15
More than 50,000 but not more than 100,000 tonnes	50
More than 100,000 but not more than 500,000 tonnes	135
More than 500,000 but not more than 2,000,000 tonnes	335
More than 2,000,000 but not more than 5,000,000 tonnes	600
More than 5,000,000 tonnes	850

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

PAPER OR PULP PRODUCTION

Paper or pulp production (see clause 30 (1) of Schedule 1 to the Act)

- 1 Units of measure: tonnes**

- 2 Administrative fee**

Annual production capacity	Administrative fee units
Not more than 150,000 tonnes	65
More than 150,000 tonnes	165

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

PAPER OR PULP PRODUCTION

3 Load-based fee

Air pollutants	Threshold factor
Coarse particulates	0.39
Fine particulates	1.49
Nitrogen oxides and nitrogen oxides (summer)	3.51
Water pollutants	Threshold factor
BOD	5.55
Salt	3.0
Suspended solids	8.35
Total nitrogen	0.1
Total phosphorous	0.001
Zinc	0.13

Paper or pulp waste generation (see clause 30 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

	Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008
Schedule 2	Amendment of Protection of the Environment Operations (General) Regulation 1998

PETROLEUM AND FUEL PRODUCTION

Crude oil/shale oil production (see clause 31 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	25
More than 10,000 but not more than 200,000 tonnes	65
More than 200,000 but not more than 500,000 tonnes	165
More than 500,000 tonnes	660

3 Load-based fee (but only if the activity is a scheduled activity under clause 31 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.004
Benzo(a)pyrene (equivalent)	0.005
Fine particulates	0.2
Hydrogen sulfide	0.031
Nitrogen oxides and nitrogen oxides (summer)	0.5
Sulfur oxides	0.6
VOCs and VOCs (summer)	0.4
Water pollutants	Threshold factor
BOD	0.14
Oil and grease	0.12
Suspended solids	0.36
Total PAHs	0.07
Total phenolics	0.27

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

PETROLEUM AND FUEL PRODUCTION

Natural gas/methane production (see clause 31 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	25
More than 10,000 but not more than 200,000 tonnes	65
More than 200,000 but not more than 500,000 tonnes	165
More than 500,000 tonnes	660

3 Load-based fee (but only if the activity is a scheduled activity under clause 31 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.004
Benzo(a)pyrene (equivalent)	0.005
Fine particulates	0.2
Hydrogen sulfide	0.031
Nitrogen oxides and nitrogen oxides (summer)	0.5
Sulfur oxides	0.6
VOCs and VOCs (summer)	0.4
Water pollutants	Threshold factor
BOD	0.14
Oil and grease	0.12
Suspended solids	0.36
Total PAHs	0.07
Total phenolics	0.27

	Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008
Schedule 2	Amendment of Protection of the Environment Operations (General) Regulation 1998

PETROLEUM AND FUEL PRODUCTION

Petroleum products and fuel production (see clause 31 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual production capacity	Administrative fee units
Not more than 10,000 tonnes	25
More than 10,000 but not more than 200,000 tonnes	65
More than 200,000 but not more than 500,000 tonnes	165
More than 500,000 tonnes	660

3 Load-based fee (but only if the activity is a scheduled activity under clause 31 (2) of Schedule 1 to the Act)

Air pollutants	Threshold factor
Benzene	0.004
Benzo(a)pyrene (equivalent)	0.005
Fine particulates	0.2
Hydrogen sulfide	0.031
Nitrogen oxides and nitrogen oxides (summer)	0.5
Sulfur oxides	0.6
VOCs and VOCs (summer)	0.4
Water pollutants	Threshold factor
BOD	0.14
Oil and grease	0.12
Suspended solids	0.36
Total PAHs	0.07
Total phenolics	0.27

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

PRINTING, PACKAGING AND VISUAL COMMUNICATIONS

Printing, packaging and visual communications waste generation (see clause 32 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual volume of waste generated or stored	Administrative fee units
More than 5 but not more than 100 tonnes	8
More than 100 tonnes	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

RAILWAY SYSTEMS ACTIVITIES

Railway systems activities (see clause 33 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual capacity	Administrative fee units
Any capacity	50

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

RESOURCE RECOVERY

Recovery of general waste (see clause 34 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of material recovered	Administrative fee units
General waste	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

RESOURCE RECOVERY

Recovery of hazardous and other waste (see clause 34 (1) of Schedule 1 to the Act)

1 **Units of measure** (not applicable)

2 **Administrative fee**

Type of material recovered	Administrative fee units
Hazardous and other waste	32

3 **Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Recovery of waste oil (see clause 34 (1) of Schedule 1 to the Act)

1 **Units of measure: tonnes**

2 **Administrative fee**

Annual recovery capacity	Administrative fee units
Not more than 1,000 tonnes	25
More than 1,000 tonnes	65

3 **Load-based fee** (but only if the annual capacity exceeds 20,000 tonnes)

Air pollutants	Threshold factor
Lead	0.2
VOCs and VOCs (summer)	0.05

Water pollutants	Threshold factor
Oil and grease	4.8

Recovery of waste tyres (see clause 34 (1) of Schedule 1 to the Act)

1 **Units of measure** (not applicable)

2 **Administrative fee**

Type of material recovered	Administrative fee units
Waste tyres	12

3 **Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

ROAD CONSTRUCTION

Road construction (see clause 35 (1) of Schedule 1 to the Act)

1 Units of measure: kilometres

2 Administrative fee

Design length of road to be constructed, widened or re-routed	Administrative fee units
Not more than 10 kilometres	50
More than 10 but not more than 30 kilometres	135
More than 30 kilometres	335

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

SEWAGE TREATMENT

Sewage treatment (see clause 36 (1) of Schedule 1 to the Act)

1 Units of measure: megalitres

2 Administrative fee

Annual maximum volume of discharge	Administrative fee units
Not more than 20 megalitres	5
More than 20 but not more than 100 megalitres	8
More than 100 but not more than 1,000 megalitres	25
More than 1,000 but not more than 5,000 megalitres	65
More than 5,000 but not more than 10,000 megalitres	165
More than 10,000 but not more than 20,000 megalitres	300
More than 20,000 but not more than 30,000 megalitres	420
More than 30,000 megalitres	2,650

3 Load-based fee (but only if the maximum annual volume of sewage that the relevant licence authorises to be discharged exceeds 219 megalitres)

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

SEWAGE TREATMENT

Processing by small plants (less than 10,000 megalitres annual capacity)

Air pollutants	Threshold factor
Nil	Not applicable

Water pollutants	Threshold factor
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BOD	10
Oil and grease	2
Total nitrogen	10
Total phosphorous	0.3
Suspended solids	15

Processing by large plants (more than 10,000 megalitres annual capacity)

Air pollutants	Threshold factor
Nil	Not applicable

Water pollutants	Threshold factor
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BOD	10
Cadmium	0.00005
Chromium	0.0025
Copper	0.01
Lead	0.0005
Mercury	0.00005
Oil and grease	2
Selenium	0.0025
Suspended solids	15
Total nitrogen	10
Pesticides and PCBs	0.00012
Total phosphorous	0.3
Zinc	0.012

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

SHIPPING IN BULK

Shipping in bulk (see clause 37 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity to load and unload	Administrative fee units
Not more than 100,000 tonnes	15
More than 100,000 but not more than 500,000 tonnes	50
More than 500,000 tonnes	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

STERILISATION ACTIVITIES

Sterilisation activities (see clause 38 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual capacity	Administrative fee units
Any capacity	32

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

WASTE DISPOSAL (APPLICATION TO LAND)

Waste disposal by application to land (see clause 39 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Annual capacity	Administrative fee units
Any capacity	32

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

WASTE DISPOSAL (APPLICATION TO LAND)

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

WASTE DISPOSAL (THERMAL TREATMENT)

Thermal treatment of general waste (see clause 40 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity	Administrative fee units
Any capacity	65

3 Load-based fee

Air pollutants	Threshold factor
Arsenic	0.00005
Benzene	0.0000011
Benzo(a)pyrene	0.00002
Fine particulates	0.7
Lead	0.035
Mercury	0.003
Nitrogen oxides and nitrogen oxides (summer)	2.5
Sulfur oxides	0.07

Water pollutants	Threshold factor
Nil	Not applicable

Thermal treatment of hazardous and other waste (see clause 40 (1) of Schedule 1 to the Act)

1 Units of measure: tonnes

2 Administrative fee

Annual capacity	Administrative fee units
Any capacity	65

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

WASTE DISPOSAL (THERMAL TREATMENT)

3 Load-based fee

Air pollutants	Threshold factor
Arsenic	0.00005
Benzene	0.0000011
Benzo(a)pyrene	0.00002
Fine particulates	0.7
Lead	0.035
Mercury	0.003
Nitrogen oxides and nitrogen oxides (summer)	2.5
Sulfur oxides	0.07
Water pollutants	Threshold factor
Nil	Not applicable

WASTE PROCESSING (NON-THERMAL TREATMENT)

Non-thermal treatment of general waste (see clause 41 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of waste treated	Administrative fee units
General waste	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Non-thermal treatment of hazardous and other waste (see clause 41 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of waste treated	Administrative fee units
Hazardous and other waste	32

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Schedule 2 Amendment of Protection of the Environment Operations (General) Regulation 1998

WASTE PROCESSING (NON-THERMAL TREATMENT)

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Non-thermal treatment of waste tyres (see clause 41 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of waste treated	Administrative fee units
Waste tyres	12

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

WASTE STORAGE

Waste storage (see clause 42 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of waste stored	Administrative fee units
Hazardous waste, restricted solid waste, liquid waste, clinical and related waste and asbestos waste	32
Waste tyres	12
Other types of waste	16

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

WOOD OR TIMBER MILLING OR PROCESSING

Wood or timber milling or processing (see clause 43 (1) of Schedule 1 to the Act)

1 Units of measure: cubic metres

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

WOOD OR TIMBER MILLING OR PROCESSING

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 50,000 cubic metres	5
More than 50,000 but not more than 100,000 cubic metres	15
More than 100,000 but not more than 200,000 cubic metres	50
More than 200,000 cubic metres	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

WOOD PRESERVATION

Wood preservation (see clause 44 (1) of Schedule 1 to the Act)

1 Units of measure: cubic metres

2 Administrative fee

Annual processing capacity	Administrative fee units
Not more than 10,000 cubic metres	15
More than 10,000 but not more than 30,000 cubic metres	50
More than 30,000 cubic metres	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

MOBILE PLANT ACTIVITIES

Mobile plant activity (see clause 46 (1) of Schedule 1 to the Act)

1 Units of measure (not applicable)

2 Administrative fee

Type of activity	Administrative fee units
Any capacity	5

	Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008
Schedule 2	Amendment of Protection of the Environment Operations (General) Regulation 1998

MOBILE PLANT ACTIVITIES

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

MOBILE WASTE PROCESSING

Mobile waste processing (see clause 47 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)

2 Administrative fee

Type of activity	Administrative fee units
Any capacity	32

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

TRANSPORT OF WASTE

Transport of hazardous and other waste (see clause 48 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)

2 Administrative fee

Annual capacity to transport	Administrative fee units
Any capacity	4

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Transport of waste tyres (see clause 48 (1) of Schedule 1 to the Act)

- 1 Units of measure** (not applicable)

2 Administrative fee

Annual capacity to transport	Administrative fee units
Any capacity	4

- 3 Load-based fee** (there are no assessable pollutants and therefore no load-based fee in relation to this activity)
-

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (General) Regulation 1998

Schedule 2

MISCELLANEOUS WATER ACTIVITIES

Miscellaneous licensed discharge to waters (wet weather only), meaning any activity (other than a scheduled activity) in relation to which a licence to discharge pollutants to waters during or immediately following periods of wet weather (but not at any other time) has been granted under the Act

1 Units of measure: megalitres

2 Administrative fee

Maximum annual volume of discharge authorised by licence (calculated by multiplying maximum allowable daily discharge by 50)	Administrative fee units
Not more than 3 megalitres	5
More than 3 but not more than 15 megalitres	15
More than 15 but not more than 150 megalitres	50
More than 150 megalitres	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Miscellaneous licensed discharge to waters (at any time), meaning any activity (other than a scheduled activity) in relation to which a licence to discharge pollutants to waters has been granted under the Act

1 Units of measure: megalitres

2 Administrative fee

Maximum annual volume of discharge authorised by licence	Administrative fee units
Not more than 20 megalitres	5
More than 20 but not more than 100 megalitres	15
More than 100 but not more than 1,000 megalitres	50
More than 1,000 megalitres	135

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

	Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008
Schedule 2	Amendment of Protection of the Environment Operations (General) Regulation 1998

OTHER ACTIVITIES NOT OTHERWISE LISTED

Other activities, meaning any activity (other than a scheduled activity or miscellaneous water activity)

1 Units of measure (not applicable)

2 Administrative fee

Type of activity

Administrative fee units

Any capacity

5

3 Load-based fee (there are no assessable pollutants and therefore no load-based fee in relation to this activity)

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Amendment of Protection of the Environment Operations (Waste) Regulation 2005

Schedule 3

Schedule 3 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

(Clause 5)

[1] Clause 3 Definitions

Omit “Interpretative provisions” from clause 3 (2).

Insert instead “Definitions”.

[2] Clause 3B

Insert after clause 3A:

3B Definition of “waste”

- (1) For the purposes of paragraph (d) of the definition of *waste* in the Dictionary to the Act, the following circumstances are prescribed:
 - (a) in relation to substances that are applied to land, the application to land by:
 - (i) spraying, spreading or depositing on the land, or
 - (ii) ploughing, injecting or mixing into the land, or
 - (iii) filling, raising, reclaiming or contouring the land,
 - (b) in relation to substances that are used as fuel, all circumstances.
- (2) Subclause (1) (a) does not apply where the substances concerned are either bulk agricultural crop materials or manure.

[3] Clause 4 Definitions

Insert “, being the area comprising the local government areas of Cessnock, Gosford, Hawkesbury, Kiama, Lake Macquarie, Maitland, Newcastle, Port Stephens, Shellharbour, Shoalhaven, Wingecarribee, Wollongong and Wyong” after “area” in the definition of *ERA* in clause 4 (1).

[4] Clause 4 (1), definition of “liquid waste”

Omit the definition. Insert instead:

liquid waste has the same meaning as it has in Schedule 1 to the Act.

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 3 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

[5] Clause 4 (1), definition of “scheduled waste facility”

Insert “by reason only that it is used for the storage, treatment, processing, sorting or disposal of waste” after “the Act”.

[6] Clause 4 (1), definition of “SMA”

Insert “, being the local government areas of Ashfield, Auburn, Bankstown, Baulkham Hills, Blacktown, Botany, Burwood, Camden, Campbelltown, Canada Bay, Canterbury, Fairfield, Holroyd, Hornsby, Hunters Hill, Hurstville, Kogarah, Ku-ring-gai, Lane Cove, Leichhardt, Liverpool, Manly, Marrickville, Mosman, North Sydney, Parramatta, Penrith, Pittwater, Randwick, Rockdale, Ryde, Strathfield, Sutherland, Sydney, Warringah, Waverley, Willoughby and Woollahra” after “area”.

[7] Clause 4A Payment of contributions

Omit “60” from clause 4A (2). Insert instead “56”.

[8] Clause 4A, note

Omit the note at the end of the clause.

[9] Clause 5 Contributions payable in relation to scheduled waste facilities where adequate records kept

Insert “trackable” after “waste other than” in clause 5 (1).

[10] Clause 9 Exemption of certain occupiers from requirement to pay contributions

Insert “trackable” after “waste other than” in clause 9 (1).

[11] Clause 10 Certain types of waste exempted from calculation of contributions

Omit clause 10 (1) (a1) and (b).

[12] Clause 11 Approval of operational purpose

Insert “trackable” before “liquid waste” in clause 11 (1A).

[13] Clause 11A Deductions from contributions

Insert “trackable” after “other than” wherever occurring in clause 11A (1) (a), (b) and (c) and (3AA) (a).

[14] Clause 13 Waste contribution monthly reports

Omit “60”. Insert instead “56”.

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

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Schedule 3

[15] Clause 26 Receiver of waste may accept or reject waste

Omit the note to clause 26 (1).

[16] Clause 27 Appointment of authorised agent

Omit “occupier or” from clause 27 (5). Insert instead “occupier”.

[17] Clause 42

Omit the clause. Insert instead:

42 Special requirements relating to asbestos waste

- (1) This clause applies to any activity that involves the transportation, disposal, re-use or recycling of any type of asbestos waste, regardless of whether the activity is required to be licensed.
- (2) A person who carries on an activity to which this clause applies must comply with the requirements specified in this clause in relation to the activity concerned.
Maximum penalty: 400 penalty units in the case of a corporation, 200 penalty units in the case of an individual.
- (3) The requirements relating to the transportation of asbestos waste are as follows:
 - (a) bonded asbestos material must be securely packaged at all times,
 - (b) friable asbestos material must be kept in a sealed container,
 - (c) asbestos-contaminated soils must be wetted down,
 - (d) all asbestos waste must be transported in a covered, leak-proof vehicle.
- (4) The requirements relating to the off site disposal of asbestos waste are as follows:
 - (a) asbestos waste in any form must be disposed of only at a landfill site that may lawfully receive the waste,
 - (b) when asbestos waste is delivered to a landfill site, the occupier of the landfill site must be informed by the person delivering the waste that the waste contains asbestos,
 - (c) when unloading and disposing of asbestos waste at a landfill site, the waste must be unloaded and disposed of in such a manner as to prevent the generation of dust or the stirring up of dust,

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 3 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

- (d) asbestos waste disposed of at a landfill site must be covered with virgin excavated natural material or other material as approved in the facility's environment protection licence:
- (i) initially (at the time of disposal), to a depth of at least 0.15 metre, and
 - (ii) at the end of each day's operation, to a depth of at least 0.5 metre, and
 - (iii) finally, to a depth of at least 1 metre (in the case of bonded asbestos waste or asbestos-contaminated soils) or 3 metres (in the case of friable asbestos material) beneath the final land surface of the landfill site.
- (5) A person must not cause or permit asbestos waste in any form to be re-used or recycled.
- (6) In this clause:
- bonded asbestos material*** means any material (other than friable asbestos material) that contains asbestos.
- friable asbestos material*** means any material that contains asbestos and is in the form of a powder or can be crumbled, pulverised or reduced to powder by hand pressure when dry.

[18] Clause 43

Omit the clause. Insert instead:

43 Special requirements relating to clinical and related waste

- (1) If a person disposes of clinical and related waste at a waste facility that is a landfill site or application site and is not licensed under the Act, the person must comply with the following requirements:
- (a) the waste must be disposed of only at a waste facility that is operated by a local authority and located outside the Sydney metropolitan area or extended regulated area,
 - (b) the written approval of the local authority must be obtained before the waste is disposed of,
 - (c) the waste must not be disposed of unless it was generated outside the extended regulated area,
 - (d) the waste must not contain any recognisable body parts, sharps waste, cytotoxic waste or radioactive waste,

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

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Schedule 3

- (e) the waste must be packaged in accordance with the requirements set out in the document called *NSW Health: Waste Management Guidelines for Health Care Facilities* issued by the Department of Health and dated August 1998,
- (f) the waste must not be disposed of in amounts that exceed 40 kilograms at any time,
- (g) the waste must be buried, or be immediately contained, in a manner that prevents the waste coming into contact with any person or animal.

Maximum penalty: 400 penalty units in the case of a corporation, 200 penalty units in the case of an individual.

- (2) If a person collects waste for disposal at a waste facility that is a landfill site (being waste that the person knows, or ought reasonably to know, to include clinical and related waste), the person must comply with the following requirements:

- (a) sharps waste must, as far as is practicable, be collected and separately stored from other waste in securely packaged containers that satisfy the requirements of the relevant Australian Standards (for example, in sharps disposal bins),
- (b) waste contaminated with sharps waste must be packaged securely at all times (that is, where sharps are unintentionally mixed with other wastes, and it is not practicable to separate the sharps, then all the waste must be securely packaged as if it were all sharps waste),
- (c) waste contaminated with sharps waste must comply with the packaging and disposal requirements of both sharps waste and any waste that it is contaminating (for example, sharps waste mixed with cytotoxic waste must meet the standards for packaging and disposal of both wastes),
- (d) clinical waste, cytotoxic waste and pharmaceutical, drug or medicine waste must each be packaged securely and appropriately labelled or placed in containers designed especially for its containment.

Maximum penalty: 400 penalty units in the case of a corporation, 200 penalty units in the case of an individual.

- (3) The occupier of a hospital, day procedure centre, pathology laboratory, mortuary or medical research facility where clinical and related waste is generated:

Protection of the Environment Operations Amendment (Scheduled Activities and Waste) Regulation 2008

Schedule 3 Amendment of Protection of the Environment Operations (Waste) Regulation 2005

- (a) must develop a clinical and related waste management plan in accordance with the *NSW Health: Waste Management Guidelines for Health Care Facilities* (as in force from time to time), and
- (b) must designate an appropriate person or persons responsible for implementing and monitoring the clinical and related waste management plan, and
- (c) must keep the clinical and related waste management plan up to date, retained on the premises and available for inspection by the appropriate regulatory authority.

Maximum penalty: 400 penalty units in the case of a corporation, 200 penalty units in the case of an individual.

[19] Clause 44 Definitions

Omit paragraph (g) in the definition of *residue waste*. Insert instead:

- (g) any substance that is hazardous waste or restricted solid waste.

[20] Clause 47 Reporting requirements for non-paying landfills

Omit “licensed under the Act” from clause 47 (1).

Insert instead “required to pay contributions under section 88 of the Act”.

[21] Clause 51 General provisions relating to exemptions

Insert “any provision of the Act or by” after “by” in clause 51 (1).

[22] Clause 51A

Insert after clause 51:

51A Exemptions relating to certain waste

- (1) This clause applies to:
 - (a) waste that is waste by virtue of paragraph (d) of the definition of *waste* in the Dictionary to the Act, and
 - (b) any other waste that is used in connection with a process of thermal treatment.
- (2) The EPA may from time to time grant an exemption under clause 51 that exempts a person from any one or more of the following provisions in relation to an activity or class of activities relating to waste to which this clause applies:
 - (a) the provisions of sections 47–49 and 88 of the Act,

Protection of the Environment Operations Amendment (Scheduled Activities
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- (b) the provisions of Schedule 1 to the Act, either in total or as they apply to a particular type of activity,
- (c) the provisions of Part 3 and clauses 45 and 47 of this Regulation.



New South Wales

Young Offenders Amendment (Miscellaneous) Regulation 2008

under the

Young Offenders Act 1997

The Administrator, with the advice of the Executive Council, has made the following Regulation under the *Young Offenders Act 1997*.

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

Explanatory note

The object of this Regulation is to amend the *Young Offenders Regulation 2004* as follows:

- (a) to require the referral of a matter to a conference administrator under section 38 (1) or 40 (1) of the *Young Offenders Act 1997* (*the Act*) to be accompanied by a notice in the form approved by the Director-General of the Department of Juvenile Justice,
- (b) to make provision for the form and content of a written victim statement given under section 24A of the Act,
- (c) to prescribe the Regional Director of the Department of Juvenile Justice as a person to whom the Director-General of that Department may delegate any of the Director-General's functions under the Act or regulations,
- (d) to require any request by an authorised officer of the Department of Juvenile Justice for the divulgence of records of, or relating to, cautions and conferences under the Act to be made in writing and to include specified information,
- (e) to prescribe certain members of staff of the Department of Juvenile Justice as authorised officers for the purposes of section 66 of the Act.

This Regulation is made under the *Young Offenders Act 1997* (as amended by the *Courts and Other Legislation Amendment Act 2007*), including section 73 (the general regulation-making power).

Clause 1 Young Offenders Amendment (Miscellaneous) Regulation 2008

Young Offenders Amendment (Miscellaneous) Regulation 2008

under the

Young Offenders Act 1997

1 Name of Regulation

This Regulation is the *Young Offenders Amendment (Miscellaneous) Regulation 2008*.

2 Commencement

This Regulation commences on 1 May 2008.

3 Amendment of Young Offenders Regulation 2004

The *Young Offenders Regulation 2004* is amended as set out in Schedule 1.

Young Offenders Amendment (Miscellaneous) Regulation 2008

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 3)

[1] Clause 17A

Insert after clause 17:

17A Notice of referrals to be given to conference administrators

- (1) The referral of a matter to a conference administrator under section 38 (1) or 40 (1) of the Act must be accompanied by a notice in accordance with this clause.
- (2) A notice must be in the form approved by the Director-General.
- (3) The Director-General may approve a form only after consultation with:
 - (a) in the case of a matter referred by a specialist youth officer—the Commissioner of Police, and
 - (b) in the case of a matter referred by the Director of Public Prosecutions (the *DPP*)—the DPP, and
 - (c) in the case of a matter referred by a court—the Chief Magistrate of the Local Courts.
- (4) A notice is to include the following, unless it is not reasonably practicable to do so:
 - (a) a summary of the criminal history of the child concerned,
 - (b) details of any warning or caution given, or conference held, under the Act in relation to the child concerned,
 - (c) in the case of a matter referred by a specialist youth officer—a copy of any record kept on the COPS (Computerised Operational Policing) computer system maintained by the NSW Police Force that relates to the matter or any equivalent record,
 - (d) in the case of a matter referred by the DPP or a court:
 - (i) a copy of the charge sheet, charge cover sheet and facts sheet that relate to the matter or any equivalent record, and
 - (ii) if the DPP or court has been provided with any record kept on the COPS (Computerised Operational Policing) computer system maintained by the NSW Police Force that relates to the matter or any equivalent record—a copy of such record,

Young Offenders Amendment (Miscellaneous) Regulation 2008

Schedule 1 Amendments

-
- (e) such other information that the person or body giving the notice considers relevant.

[2] Clauses 23A–23D

Insert after clause 23:

23A Form and content of written victim statements

A written statement given under section 24A (1) of the Act:

- (a) must be legible, and may be either typed or hand-written, and
- (b) must be no longer than two A4 sized pages, and
- (c) must identify the victim or victims to whom it relates, and
- (d) must include the full name of the person who prepared the statement, and must be signed and dated by that person, and
- (e) must include only the victim's description of the incident that is the subject of the caution and its impact on the victim, and
- (f) must not have any medical, psychological or similar report attached, and
- (g) must not contain anything that is offensive, threatening, intimidating or harassing, and
- (h) must not contain a request for an apology, compensation or reparation.

Note. Under section 29 (4) of the Act, a person who gives a caution to a child may request the child being cautioned to provide a written apology to any victim of the alleged offence.

23B Delegation of Director-General's functions

For the purposes of section 62A of the Act, a Regional Director of the Department of Juvenile Justice is prescribed as a person to whom the Director-General may delegate any of the Director-General's functions.

23C Disclosure of records relating to cautions and conferences

Records may be divulged in accordance with section 66 (2) (e) of the Act only if the request for any such records:

- (a) is in writing (on a Department of Juvenile Justice letterhead) and addressed to the Manager, Criminal Records Unit, NSW Police Force, and

Young Offenders Amendment (Miscellaneous) Regulation 2008

Amendments

Schedule 1

-
- (b) includes the reason for the request and describes how the information will be used, and
 - (c) includes the full name and work location of the authorised officer of the Department of Juvenile Justice to whom the records are to be divulged, and
 - (d) contains a declaration, by the authorised officer, that:
 - (i) the request relates to a child who is subject to the supervision of the Department of Juvenile Justice pursuant to an order made under section 33 of the *Children (Criminal Proceedings) Act 1987*, and
 - (ii) the information will be used only in the manner set out in the request, and
 - (e) includes the full name and date of birth (and, if known, the place of birth) of the person to whom the records relate, and
 - (f) includes a description of any court order that relates to the request.

23D Authorised officers of the Department of Juvenile Justice

The following members of staff of the Department of Juvenile Justice are prescribed as authorised officers of the Department of Juvenile Justice for the purposes of section 66 of the Act:

- (a) an Executive Director,
- (b) a Regional Director,
- (c) an Area Manager,
- (d) an Assistant Manager,
- (e) any person who has direct responsibility for youth justice conferencing policy and procedures and who is authorised by the Director-General for the purposes of this paragraph.

Other Legislation

THREATENED SPECIES CONSERVATION ACT 1995

Erratum

THE Threatened Species Conservation Act 1995 notice of determination which appeared in the *Government Gazette* of the 18 April 2008 No. 43 folio 2723 contained an incorrect date.

The date appeared as the "18th April 2008" this should have read "18th February 2008". This erratum amends that error and the gazettal date remains the 18th April 2008.

OFFICIAL NOTICES

Department of Lands

DUBBO OFFICE

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

Phone: (02) 6883 3300 Fax: (02) 6882 6920

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.

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

Description

*Land District – Mudgee; Council – Mid-Western Regional;
Parish – Munna; County – Wellington*

Lot 1 in D.P. 1124932. File Reference: DB05H294.

Note: Upon closure the land remains vested in the Crown as Crown land.

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: Warren	The whole being
Local Government Area: Warren Shire Council	Lot 26, DP 753499,
Locality: Macquarie Marshes	Parish Willie,
Reserve No. 30774	County Gregory
Public Purpose: Preservation of Game	of an area of 1788ha
Notified: 31 March 1900	
File Reference: DB05 H 161	
Notes: Disposal of Perpetual Lease 110615 to M. A. Simpson.	

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Warren	The whole being
Local Government Area: Warren Shire Council	Lot Pt 26, DP 753499,
Locality: Willie	Parish Willie,
Reserve No. 31537	County Gregory
Public Purpose: Preservation of Game	of an area of 137.6ha
Notified: 15 December 1900	
File Reference: DB05 H 161	
Notes: Disposal of Perpetual Lease 110615 to M. A. Simpson.	

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Dunedoo	The whole being
Local Government Area: Mid-Western Regional Council	Lot 85, DP 750755,
Locality: Merotherie	Parish Merotherie,
Reserve No. 72400	County Bligh
Public Purpose: Soil Conservation	of an area of 27.72ha
Notified: 29 August 1947	
File Reference: DB05 H 442	
Notes: Purchase of Perpetual Lease 107694 by N. J. Large.	

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Dunedoo	The whole being
Local Government Area: Mid-Western Regional Council	Lot 67, DP 750767,
Locality: Tallawang	Parish Tallawang,
Reserve No. 72692	County Bligh
Public Purpose: Soil Conservation	of an area of 8.296ha
Notified: 14 May 1948	
File Reference: DB06 H 80	
Notes: Purchase of Perpetual Lease 107695 by Mark Hooper.	

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Warren	The whole being
Local Government Area: Warren Shire Council	Lot 18, DP 753499,
Locality: Willie	Parish Willie,
Reserve No. 94073	County Gregory
Public Purpose: Future public requirements	of an area of 477ha
Notified: 12 December 1980	
File Reference: DB05 H 162	
Notes: Disposal of Perpetual Lease 110619 to M. A. Simpson.	

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Walgett	The whole being
Local Government Area: Walgett Shire Council	Lot 15, DP 752258,
Locality: Myall	Parish Myall,
Reserve No. 94931	County Denham
Public Purpose: Future public requirements	Lot 16, DP 752258,
Notified: 22 May 1981	Parish Myall,
File Reference: DB07 H 5	County Denham
Notes: Purchase of Perpetual Leases 110492 & 129022.	of an area of 462.21ha

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

**APPOINTMENT OF ADMINISTRATOR TO
MANAGE A RESERVE TRUST**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Bronwyn McMillan	Tabulam Public Hall Reserve Trust	Reserve No. 54399 Public Purpose: Public Hall Notified: 28 January 1921 File Reference: GF81 R 328

For a term commencing the date of this notice and expiring
25 October 2008.

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

**REVOCAION FOR RESERVATION OF
CROWN LAND**

PURSUANT to section 90 (1) 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: Newcastle Local Government Area: Newcastle Locality: Adamstown Reserve No.: 35353 Public Purpose: For Police purposes Notified: 5 February 1913 File Reference: MD05 H 14	The part being: Lot 3277, DP 823771 Parish: Newcastle County: Northumberland Area: 344.9 square metres

NOWRA OFFICE**5 O'Keefe Avenue (PO Box 309), Nowra NSW 2541****Phone: (02) 4428 9100 Fax: (02) 4421 2172****DECLARATION OF LAND TO BE CROWN LAND**

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder is declared to be Crown within the meaning of that Act.

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

SCHEDULE

Description

*Land District – Nowra;
Local Government Area – Shoalhaven;
Parish – Nowra; County – St Vincent*

19.07 hectares being Lot 102, DP 755952, held in the name of the Minister for Lands;

21.83 hectares being Lot 103, DP 755952, held in the name of the Minister for Lands;

65.79 hectares being Lot 464, DP 1058778, held in the name of the Minister for Lands;

3.613 hectares being Lot 7041, DP 1121435, held in the name of the Minister for Lands.

File No: 07/3949.

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 public road and the rights of passage and access that previously existed in relation to the road is extinguished. On road closing, title to the land comprising the former public road vests in the body specified in the Schedule hereunder.

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

Description

*Parish – Bherwerre; County – St Vincent;
Land District – Nowra;
Local Government Area – Shoalhaven*

Road Closed: Lots 1-12, DP 1118806 at Vincentia.
File Reference: NA07 H 74.

Schedule

On closing, the land within Lots 1-12, DP 1118806 remains vested in Shoalhaven City Council as operational land for the purposes of the Local Government Act 1993 (Council Ref: 35526).

ADDITION TO RESERVED CROWN LAND

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

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

SCHEDULE*Column 1*

Land District: Nowra
Local Government Area:
Shoalhaven
Parish: Nowra
County: St Vincent
Lots 102 and 103, D.P. 755952,
Lot 7041, D.P. 1121435 and
Lot 464, D.P. 1058778
excluding the land within
Mining Leases 5087 and 6322.
Area: 88.68 hectares

Column 2

Crown land reserved for the public purpose of government purposes by notification in the Gazette of 14 December 2007 as reserve No.1014289.

NOTE: Reserve No. 1011528 for the public purpose of access and public requirements, tourism purposes and environmental and heritage conservation notified in the Gazette of 9 June 2006 is not revoked.

File No: 07/5550.

ERRATUM

IN the notification appearing in the Government Gazette of 18 April 2008 Folio 2729 under the heading "CROWN LANDS ACT 1989" the description in the Schedule should have read "...being Lots 102 and 103 in Deposited Plan 755952, Lot 464 in Deposited Plan 1058778 and Lot 7041 in Deposited Plan 1121435". File No.: 07/5550.

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

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

APPOINTMENT OF TRUST BOARD MEMBERS

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Jenny Logan (new member)	Moonbi Recreation	Reserve No. 81418 Public Purpose: Public Hall
Maureen Dora Jackson (re-appointment)	Hall Trust	Notified: 27 February 1959 File Reference: OE81R85
Christopher William Simmonds (re-appointment)		
Field Marshall Jackson (re-appointment)		
William Ronald Logan (re-appointment)		
Graeme Nash (new member)		
Richard Cole (new member)		
For a term commencing the date of this notice and expiring 24 April 2013.		

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Kathryn June McLanders (re-appointment)	Palmers Oakey Recreation	Reserve No. 33619 Public Purpose: Public Recreation
Craig Andrew Ellis (new member)	Reserve Trust	Notified: 7 December 1901 File Reference: OE80R83
Henry Richard Packham (new member)		
Paul Graham Holden (re-appointment)		
Ronald Ellis (re-appointment)		
Joy Patricia Ferguson (re-appointment)		
Colin Latham Ferguson (re-appointment)		
For a term commencing the date of this notice and expiring 24 April 2013.		

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Michael Lawrence Healy (new member)	Turondale Recreation Reserve Trust	Dedication No. 590119 Public Purpose: Public Recreation Notified: 9 June 1897 File Reference: OE83R7
Frederick Collett (re-appointment)		
John Edward Lennon (re-appointment)		
John Michael Lennon (re-appointment)		
Violet Rose Lennon (re-appointment)		
Brenden Edward Cole (re-appointment)		
Beryl Sylvia Collett (re-appointment)		
For a term commencing the date of this notice and expiring 24 April 2013.		

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

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

Road Closed: Lot 1 in Deposited Plan 1125151 at Parkes.
 File No.: OE07 H 202.

Note: On closing, the land within Lot 1 DP 1125151 remains vested in Parkes Shire Council as operational land for the purposes of the Local Government Act 1993.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Parish – Canowindra; County – Bathurst;
Land District – Molong; Shire – Cabonne*

Road Closed: Lot 1 in Deposited Plan 1115413. File No.: OE05 H 59.

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

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Parish – Lindsay; County – Bathurst;
Land District – Blayney; Shire – Blayney*

Road Closed: Lot 1 and 2 in Deposited Plan 1122109. File No.: CL/00095.

Note: On closing Title to the land comprised in Lot 1 and 2 remains vest in the Crown as Crown Land.

NOTIFICATION OF CLOSING OF PUBLIC ROAD

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

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

Description

*Parish – The Gap; County – Gordon;
Land District – Molong; Shire – Cabonne*

Road Closed: Lot 2 in Deposited Plan 1120807. File No.: OE05 H 283.

Note: On closing Title to the land comprised in Lot 2 remains vest in the Crown as Crown Land.

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

NOTIFICATION OF CLOSING OF ROAD

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

TONY KELLY, MLC.,
Minister for Lands

 Descriptions

Land District – Windsor; L.G.A. Blacktown

Lot 1, DP 1124207 at Quakers Hill, Parish Gidley, County Cumberland. MN06 H 303.

Notes:

- (1) On closing, title for the land in lot 1 remains vested in Blacktown City Council as operational land.
- (2) The road is closed subject to the easement for Underground cables 3 wide and easement to drain water 3 wide as shown in DP 1124207.

**REVOCATION OF RESERVATION OF
CROWN LAND**

PURSUANT to section 90 (1) 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, MLC.,
Minister for Lands

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan Council: Hornsby Parish: Berowra County: Cumberland Location: Glenorie Reserve: 92850 Purpose: Future public requirements Date of Notification: 27 June 1980 File No.: 07/4078	The whole of Reserve 92850 being Lot 147, DP 752014

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Willyama Council: Broken Hill Parish: Picton County: Yancowinna Location: Broken Hill Reserve: All current Crown Reservations notified and/or administered under the provisions of the NSW Crown Lands Acts (including Part Reserve 1013830 for Public Purpose of Future Public Requirements notified 29/6/2007) File: 08/2543	All current Crown Reservations created over Lot 2, DP 39546, Lots 4620 and 5979, DP 45008 and Lot 17, Section 37, DP 758018.

ADDITION TO RESERVED CROWN LAND

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

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

 SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan Local Government Area: Ryde City Council Locality: Meadowbank Lot 101 DP1119538 and Lot 7055 DP1065139 Parish: Hunters Hill County: Cumberland Area: 2200m2 File Ref: MN06R29/1	Reserve No. 1013968 Public Purpose: Public Recreation Notified: 14 September 2007 Lot DP 1 34075 7079 752035# 7033 1069187# 1,2,3,4,5 6,7,8 & 9 108840 853 752035 7033 1065135 7034 752035# 896 48475 1 Sec 1 1095 278 15965 28 18926 22 12095 1 177693 1 954186 C 388841 C 398819 6 524931 Z 405311 4 524759 2 524764 1 1092972 11 873598 14 806133 2 929038 10 1051607 448 15224 7032 1073996# 47,48,49,50,51 4664 52,53,54,55,56 889 752035 897,895 48475 143 752035 840 752035 Parish: Hunters Hill County: Cumberland New Area: 33.13 ha

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

**REVOCATION OF RESERVATION OF
CROWN LAND**

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

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

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Metropolitan	The part being
Local Government Area: Ryde City Council	Lot 100, DP1119538
Locality: Meadowbank	of an area of 2572m ²
Reserve No. 67963	Parish: Hunters Hill
Public Purpose:	County: Cumberland
Public Recreation	
Notified: 28 October 1938	
Lots 100 AND 101, DP 1119538	
Parish: Hunters Hill	
County: Cumberland	
File Ref.: MN06 R 29/1	

**DEDICATION OF CROWN LAND AS CROWN
PUBLIC ROAD**

PURSUANT to section 12 of the Roads Act 1993, the Minister for Lands hereby dedicates the land specified in Column 1 of the Schedule hereunder as Crown Public Road.

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

SCHEDULE

Column 1

Land District: Metropolitan
Local Government Area: The Council of the City of Ryde
Locality: Meadowbank
Lot 100, DP 1119538
Parish: Hunters Hill
County: Cumberland
File Ref.: MN04 H 197/1

ROADS ACT, 1993

ORDER

Transfer of a Crown Road to Council

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

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

SCHEDULE 1

*Parish – Hunters Hill; County – Cumberland;
Land District – Metropolitan;
LGA – The Council of the City of Ryde
Lot 100, DP 1119538*

SCHEDULE 2

Roads Authority: The Council of the City of Ryde. File No. MN04 H 197/1.

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

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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.

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

Description

*Locality – Quirindi; Land District – Quirindi;
L.G.A. – Liverpool Plains Shire*

Roads Closed: Lot 1 in Deposited Plan 1123302, Parish Borambil, County Buckland. File Reference: TH06 H 223

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

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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.

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

Description

*Locality – Kelvin; Land District – Gunnedah;
L.G.A. – Gunnedah*

Road Closed: Lot 1 in Deposited Plan 1123453, Parish Gunnenbeme, County Nandewar. File Reference: TH05 H 333

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

NOTIFICATION OF CLOSING OF A ROAD

IN pursuance to the provisions of the Roads Act 1993, the road hereunder specified 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.

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

Description

*Locality – Pine Ridge; Land District – Quirindi;
L.G.A. – Liverpool Plains*

Road Closed: Lot 1 in Deposited Plan 1120888, Parish Weston, County Pottinger. File Reference: TH05 H 389

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

Description

*Locality – Blandford; Land District – Quirindi;
L.G.A. – Upper Hunter*

Road Closed: Lots 1 and 2 in Deposited Plan 1122113, Parish Temi, County Brisbane. File Reference: TH05 H 235

Note: On closing title to the land comprised in Lots 1 & 2 will remain vested in the State of New South Wales as Crown Land.

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

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>
Lansdowne (Sandy Point) Recreation and Flora Reserve Trust File: TE80 R 186	Reserve No.: 50557 Public Purpose: Public Recreation and Preservation of Native Flora Notified: 10 March 1915

Department of Planning



New South Wales

Cobar Local Environmental Plan 2001 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (D07/00020-1)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Cobar Local Environmental Plan 2001 (Amendment No 2)

Cobar Local Environmental Plan 2001 (Amendment No 2)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Cobar Local Environmental Plan 2001 (Amendment No 2)*.

2 Aims of plan

This plan aims to amend *Cobar Local Environmental Plan 2001* by removing unnecessary words from the Table to Part 2 so as to maintain consistency throughout the Table.

3 Land to which plan applies

This plan applies to land in Zone No 2 (e)—Village Zone, Zone No 3 (a)—General Business Zone, Zone No 4 (a)—General Industrial Zone and Zone No 4 (b)—Airport and Industrial Zone under *Cobar Local Environmental Plan 2001*.

4 Amendment of Cobar Local Environmental Plan 2001

Cobar Local Environmental Plan 2001 is amended as set out in Schedule 1.

Cobar Local Environmental Plan 2001 (Amendment No 2)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Part 2, Table

Omit “other than development that is” from item 3 of the matter relating to Zone No 2 (e) in the Table to Part 2.

[2] Part 2, Table

Omit “other than development” wherever occurring in the matter relating to Zone No 3 (a), Zone No (4) (a) and Zone No 4 (b) in the Table to Part 2.



New South Wales

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (GRA6323790/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)*.

2 Aims of plan

This plan aims to amend *Coffs Harbour City Local Environmental Plan 2000*:

- (a) to rezone the land to which this plan applies to the Business 3B City Support Zone (Zone 3B), and
- (b) to allow, with the development consent of Coffs Harbour City Council, the carrying out of development for the purpose of shops on part of the land to which this plan applies (being Lot 10, DP 1076396, 2 Halls Road, North Boambee Valley).

3 Land to which plan applies

This plan applies to Lot 10, DP 1076396, 2 Halls Road, North Boambee Valley and Lot 300, DP 867096, 180 Pacific Highway, North Boambee Valley, as shown edged heavy black and lettered "3B" on the map marked "Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)" deposited in the office of Coffs Harbour City Council.

4 Amendment of Coffs Harbour City Local Environmental Plan 2000

Coffs Harbour City Local Environmental Plan 2000 is amended as set out in Schedule 1.

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] **Clause 24 Exceptions**

Insert at the end of the Land Use Exceptions Table to the clause in Columns 1, 2 and 3, respectively:

2 Halls Road, North Boambee Valley	Lot 10, DP 1076396	Development for the purpose of shops, with the total gross floor area of the shops not exceeding 3,000m ²
---------------------------------------	--------------------	---

Coffs Harbour City Local Environmental Plan 2000 (Amendment No 31)

Schedule 1 Amendments

[2] Schedule 3 Shops in Zones 3B and 3G

Insert at the end of the Schedule:

Lot 10, DP 1076396, 2 Halls Road, North Boambee Valley



[3] Dictionary

Insert in appropriate order in the definition of *the map*:

Coffs Harbour City Local Environmental Plan 2000
(Amendment No 31)



New South Wales

Holroyd Local Environmental Plan 1991 (Amendment No 53)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P07/00931)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Holroyd Local Environmental Plan 1991 (Amendment No 53)

Holroyd Local Environmental Plan 1991 (Amendment No 53)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Holroyd Local Environmental Plan 1991 (Amendment No 53)*.

2 Aims of plan

This plan aims to update references in *Holroyd Local Environmental Plan 1991* to the name and date of adoption of the Development Control Plan in relation to exempt and complying development.

3 Land to which plan applies

This plan applies to the whole of the land within the City of Holroyd.

4 Amendment of Holroyd Local Environmental Plan 1991

Holroyd Local Environmental Plan 1991 is amended as set out in Schedule 1.

Holroyd Local Environmental Plan 1991 (Amendment No 53)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 40 What is exempt and complying development?

Omit “*Holroyd Development Control Plan (DCP) No 32—Guidelines for Exempt and Complying Development* adopted by the council on 7 September 1999” wherever occurring in clause 40 (1)–(3).

Insert instead “Part 1 of *Holroyd DCP 2007*”.

[2] Clause 40 (3A)

Omit “*Holroyd Development Control Plan (DCP) No 32—Guidelines for Exempt and Complying Development*”.

Insert instead “Part 1 of *Holroyd DCP 2007*”.

[3] Clause 40 (4)

Omit “*Holroyd Development Control Plan (DCP) No 32—Guidelines for Exempt and Complying Development*”.

Insert instead “Part 1 of *Holroyd DCP 2007*”.

[4] Clause 40 (5)

Insert after clause 40 (4):

- (5) In this clause, ***Holroyd DCP 2007*** means *Holroyd Development Control Plan 2007* adopted by the Council on 4 September 2007 and, in subclause (4), includes *Holroyd Development Control Plan (DCP) No 32—Guidelines for Exempt and Complying Development* adopted by the council on 7 September 1999, but only in relation to matters arising before 4 September 2007.



New South Wales

Rockdale Local Environmental Plan 2000 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (P06/00141/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Clause 1 Rockdale Local Environmental Plan 2000 (Amendment No 45)

Rockdale Local Environmental Plan 2000 (Amendment No 45)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Rockdale Local Environmental Plan 2000 (Amendment No 45)*.

2 Aims of plan

This plan aims to amend *Rockdale Local Environmental Plan 2000*:

- (a) to remove requirements for the provision of staging plans in relation to certain development within Zone 10 (a1) while retaining the requirements that were to be addressed by such plans, and
- (b) to amend what development may be carried out on development site 1 within Zone 10 (a1) to bring it into line with the development that may be carried out on development sites 2–9 within that zone, and
- (c) to clarify that commercial and retail development permitted on certain development sites within Zone 10 (a1) includes development for restaurants, and
- (d) to replace three superseded diagrams that were incorrectly gazetted in *Rockdale Local Environmental Plan 2000 (Amendment No 13)*, and
- (e) for the purposes of statute law revision.

3 Land to which plan applies

This plan applies to land within the City of Rockdale to which *Rockdale Local Environmental Plan 2000* applies.

4 Amendment of Rockdale Local Environmental Plan 2000

Rockdale Local Environmental Plan 2000 is amended as set out in Schedule 1.

Rockdale Local Environmental Plan 2000 (Amendment No 45)

Amendments

Schedule 1

Schedule 1 Amendments

(Clause 4)

[1] Clause 28 Residential zone particulars

Omit “urban design for” from item 1 (e) of the matter relating to Zone No 2 (d).

Insert instead “urban design from”.

[2] Clause 28

Insert “it” after “solar access to” in item 1 (f) of the matter relating to Zone No 2 (d).

[3] Clause 35A Development in Zone No 2 (d)

Insert “of” after “floor space ratio” in clause 35A (2) (a).

[4] Clause 35A (3)

Insert “of” after “building on part”.

[5] Clause 55B Mixed Use zone particulars

Omit “, major supermarket” from item 1 (f) of the matter relating to Zone 10 (a1).

[6] Clause 55C Development in Zone 10 (a1)

Omit “excluded” from clause 55C (2) (f). Insert instead “exceeded”.

[7] Clause 55C (2) (g) (i)

Insert “will be provided” after “Schedule 2”.

[8] Clause 55C (2) (j)

Omit “in accordance with a staging plan”.

[9] Clause 55C (6)

Omit “via a staging plan, to the satisfaction of the Council,”.

Insert instead “to the satisfaction of the Council”.

[10] Clause 55C (8)

Omit “the parking spaces are not above finished ground level and”.

[11] Clause 55D Development in Zone 10 (a)

Insert “of” after “building on part” in clause 55D (5).

Page 3

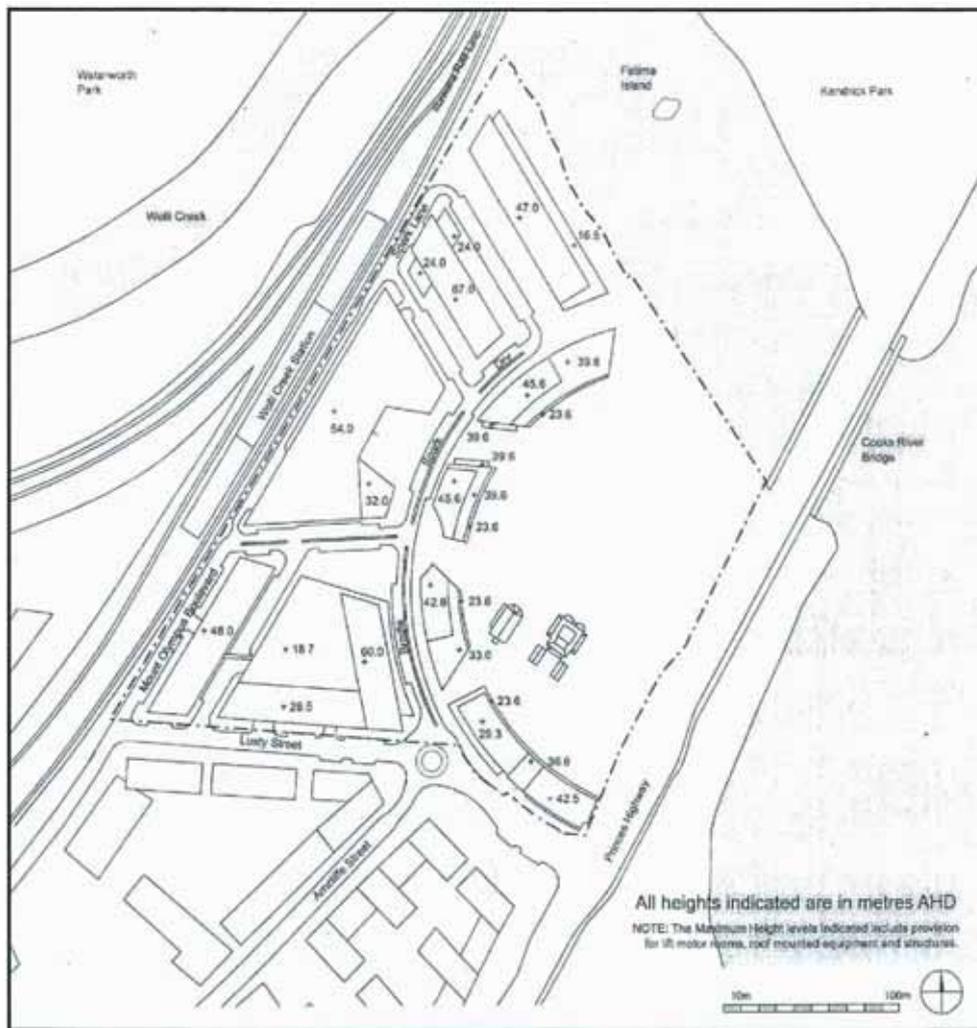
Rockdale Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendments

[12] Schedule 2 Wollie Creek

Omit the Diagram under the heading “Diagram 2—Height control—Zone 10 (a1)” in Part 1.

Insert instead:



Rockdale Local Environmental Plan 2000 (Amendment No 45)

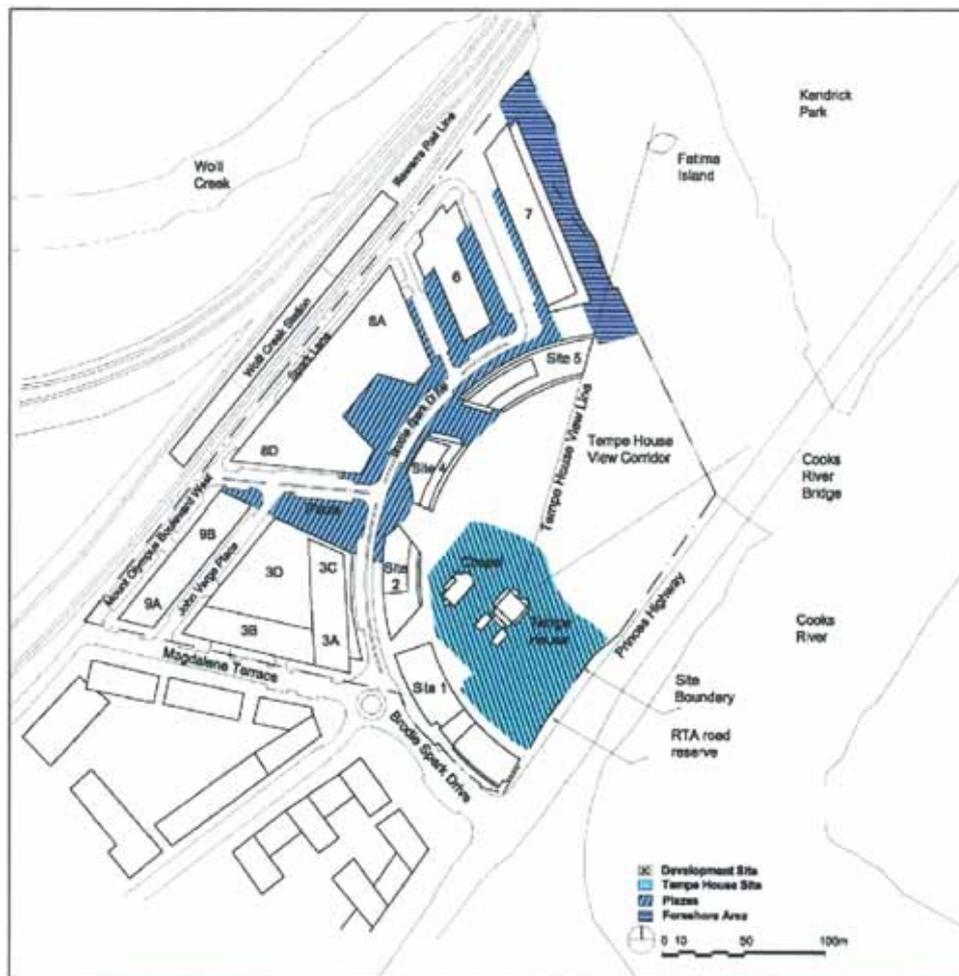
Amendments

Schedule 1

[13] Schedule 2, Part 1

Omit the Diagram under the heading “Diagram 3—Land use—Zone 10 (a1)”.

Insert instead:



Rockdale Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendments

[14] Schedule 2, Part 1

Omit the Diagram under the heading “Diagram 4—Underground areas—Zone 10 (a1)”.

Insert instead:



Rockdale Local Environmental Plan 2000 (Amendment No 45)

Amendments

Schedule 1

[15] Schedule 2, Part 1

Omit “Pacific Highway” wherever occurring in the headings to Diagrams 5–8.
Insert instead “Princes Highway”.

[16] Schedule 2, Part 2

Omit from Column 3 the matter relating to development site 1. Insert instead:
Any development permissible within Zone 10 (a1).

[17] Schedule 2, Part 2

Omit paragraph (a) of the matter relating to development site 6 in Column 2.

[18] Schedule 2, Part 2

Insert “(including restaurants)” after “commercial/retail uses” in paragraph (a) of the matter relating to development site 7 in Column 2.

[19] Schedule 2, Part 2

Omit “and also along the eastern edge of the development” from paragraph (e) of the matter relating to development site 7 in Column 2.

Insert instead “and also along the western edge of the development”.

[20] Schedule 2, Part 2

Insert “(including restaurants)” after “retail uses” in paragraph (f) of the matter relating to development site 7 in Column 2.

[21] Schedule 2, Part 2

Omit paragraph (h) of the matter relating to development site 7 in Column 2.

[22] Schedule 2, Part 2

Insert “(including restaurants)” after “commercial/retail uses” in paragraph (f) of the matter relating to development site 8 in Column 2.

[23] Schedule 2, Part 2

Omit paragraph (g) of the matter relating to development site 8 in Column 2.

Insert instead:

- (g) To provide access to underground parking for the northern end of land in the Railway precinct.

Rockdale Local Environmental Plan 2000 (Amendment No 45)

Schedule 1 Amendments

[24] Schedule 2, Part 2

Omit paragraph (c) of the matter relating to development site 9 in Column 2.

[25] Schedule 2, Part 2

Insert “; development for commercial purposes that is ancillary to any of those purposes” after “shops; clubs” in the matter relating to Foreshore Area (Shown on the Land Use Diagram) in Column 3.

Department of Primary Industries

AGRICULTURAL INDUSTRY SERVICES ACT 1998

Delegation

I, Richard Frederick Sheldrake, Director-General of the NSW Department of Primary Industries, pursuant to section 16 (4) of the Agricultural Industry Services Act 1998, delegate the functions of the Director-General under clauses 4 (3) (b) and 32 (4) (b) of the Agricultural Industry Services (Polls and Elections) Regulation 2005 to the Director, Industry Analysis.

Made this 11th day of April 2008.

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

APIARIES ACT OF 1985

Appointment of Inspector

I, RICHARD FREDERICK SHELDRAKE, Director-General, NSW Department of Primary Industries, pursuant to section 5 (1) of the Apiaries Act 1985 ("the Act") hereby appoint Roger Linton WALES, as an Inspector for the purposes of the Act:

Dated this 16th day of April 2008.

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

RICE MARKETING ACT 1983

Delegation

I, Richard Frederick Sheldrake, Director-General of the NSW Department of Primary Industries, pursuant to section 5A of the Rice Marketing Act 1983, delegate the function of the Director-General under clauses 6 (2) (b) and 34 (3) (b) of the Marketing of Primary Products Regulation 2005 to the Director, Industry Analysis.

Made this 11th day of April 2008.

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

RURAL ASSISTANCE ACT 1989

Appointment of Member to the New South Wales Rural Assistance Authority

I, IAN MACDONALD, M.L.C., Minister for Primary Industries, in pursuance of section 9 of the Rural Assistance Act 1989, hereby appoint the following member to the New South Wales Rural Assistance Authority Board for a period commencing on the date hereof and expiring on 30 June 2009:

WAYNE KENNETH JOLIFFE of Cherrybrook as a Member with qualifications in banking and finance, pursuant to section 9 (3) (b).

Dated this 30th day of March 2008.

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

STOCK DISEASES ACT 1923

Appointment of Inspector

Notification No.: 487

I, Richard Frederick Sheldrake, Director-General of NSW Department of Primary Industries, pursuant to section 6 (1) of the Stock Diseases Act 1923 ("the Act"), hereby appoint Sarah Louise ROBINSON as an Inspector for the purposes of the Act.

Dated this 13th day of April 2008.

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

STOCK DISEASES ACT 1923

Revocation of Appointment

I, Richard Frederick Sheldrake, Director-General of the NSW Department of Primary Industries pursuant to section 6 (3) (a) of the Stock Diseases Act 1923 ("the Act"), hereby revoke the appointment as an inspector under the Act of Sarah Louise ROBSON and any authorisation revived as result of this revocation.

Dated this 13th day of April 2008.

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

MINERAL RESOURCES

NOTICE is given that the following applications have been received:

EXPLORATION LICENCE APPLICATIONS

(T08-0077)

No. 3479, REEDY LAGOON CORPORATION LIMITED (ACN 006 639 514), area of 127 units, for Group 1, dated 18 April, 2008. (Wagga Wagga Mining Division).

(T08-0078)

No. 3480, RAMTECH PTY LTD, area of 4 units, for Group 1 and Group 10, dated 18 April, 2008. (Coffs Harbour Mining Division).

(T08-0079)

No. 3481, CALIBRE MINING (AUSTRALIA) PTY LTD (ACN 117 327 429), area of 7 units, for Group 1, dated 21 April, 2008. (Orange Mining Division).

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been granted:

EXPLORATION LICENCE APPLICATIONS

(07-272)

No. 3169, now Exploration Licence No. 7125, HILL END GOLD LIMITED (ACN 072 692 365), County of Wakool, Map Sheets (7627), area of 75 units, for Group 1, dated 11 April, 2008, for a term until 11 April, 2010.

(07-274)

No. 3171, now Exploration Licence No. 7124, HILL END GOLD LIMITED (ACN 072 692 365), County of Wakool, Map Sheets (7626, 7627), area of 95 units, for Group 1, dated 11 April, 2008, for a term until 11 April, 2010.

(T08-0020)

No. 3420, now Exploration Licence No. 7122, UNIMIN AUSTRALIA LIMITED (ACN 000 971 844), County of Bligh, Map Sheet (8733), area of 6 units, for Group 1 and Group 2, dated 9 April, 2008, for a term until 9 April, 2010.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

NOTICE is given that the following applications have been withdrawn:

EXPLORATION LICENCE APPLICATIONS

(T08-0052)

No. 3451, MALACHITE RESOURCES NL (ACN 075 613 268), County of Gough, Map Sheet (9138). Withdrawal took effect on 10 April, 2008.

(T08-0075)

No. 3477, RAMTECH PTY LTD, County of Rous, Map Sheet (9541). Withdrawal took effect on 17 April, 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

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

(T02-0459)

Exploration Licence No. 6082, SULTAN CORPORATION LIMITED (ACN 061 219 985), area of 10 units. Application for renewal received 17 April, 2008.

(T04-0018)

Exploration Licence No. 6246, GIRALIA RESOURCES NL (ACN 009 218 204), area of 12 units. Application for renewal received 17 April, 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

RENEWAL OF CERTAIN AUTHORITIES

NOTICE is given that the following authorities have been renewed:

(07-4790)

Exploration Licence No. 5339, WILDESIGN PTY LTD (ACN 063 680 615), Counties of Clarke and Sandon, Map Sheet (9336), area of 5 units, for a further term until 29 January, 2010. Renewal effective on and from 21 April, 2008.

(T00-0093)

Exploration Licence No. 5800, NORTH MINING LIMITED (ACN 000 081 434), County of Kennedy, Map Sheets (8432, 8532), area of 42 units, for a further term until 7 January, 2009. Renewal effective on and from 7 April, 2008.

(T02-0450)

Exploration Licence No. 6080, COMPASS RESOURCES N.L. (ACN 010 536 820), Counties of Kennedy and Narromine, Map Sheet (8532), area of 49 units, for a further term until 15 May, 2009. Renewal effective on and from 7 April, 2008.

(T03-0006)

Exploration Licence No. 6140, ISOKIND PTY LIMITED (ACN 081 732 498), Counties of Mouramba and Robinson, Map Sheet (8134), area of 93 units, for a further term until 21 October, 2009. Renewal effective on and from 7 April, 2008.

(T03-0858)

Exploration Licence No. 6196, MALACHITE RESOURCES NL (ACN 075 613 268), County of Gough, Map Sheet (9138), area of 37 units, for a further term until 18 February, 2010. Renewal effective on and from 15 April, 2008.

(T04-0008)

Exploration Licence No. 6233, GOLDMINCO RESOURCES LIMITED (ACN 109 981 795), Counties of Ashburnham, Bathurst and Wellington, Map Sheets (8631, 8731), area of 12 units, for a further term until 18 April, 2009. Renewal effective on and from 7 April, 2008.

(T02-0438)

Exploration Licence No. 6258, TEMPLAR RESOURCES LIMITED (ACN 085 644 944), County of Cowper, Map Sheet (8137), area of 80 units, for a further term until 20 June, 2008. Renewal effective on and from 21 April, 2008.

(04-605)

Exploration Licence No. 6377, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), Counties of Ashburnham and Bathurst, Map Sheets (8630, 8631), area of 32 units, for a further term until 16 February, 2009. Renewal effective on and from 21 April, 2008.

(04-606)

Exploration Licence No. 6378, COLUMBINE RESOURCES PTY LTD (ACN 110 711 656), Counties of Bathurst and Georgiana, Map Sheets (8730, 8731), area of 39 units, for a further term until 16 February, 2009. Renewal effective on and from 21 April, 2008.

(05-200)

Exploration Licence No. 6509, AUZEX RESOURCES LIMITED (ACN 106 444 606), County of Hardinge, Map Sheet (9137), area of 23 units, for a further term until 27 February, 2010. Renewal effective on and from 15 April, 2008.

(C99-0697)

Consolidated Coal Lease No. 764 (Act 1973), CENTENNIAL NEWSTAN PTY LIMITED (ACN 101 508 865), Parish of Awaba, County of Northumberland; and Parish of Teralba, County of Northumberland, Map Sheet (9232-3-S), area of 108.8 hectares, for a further term until 18 May, 2021. Renewal effective on and from 19 March, 2008.

(07-1118)

Mining Purposes Lease No. 1094 (Act 1906), ISOKIND PTY LIMITED (ACN 081 732 498), Parish of Kaloogleguy, County of Robinson, Map Sheet (8035-2-S), area of 14.28 hectares, for a further term until 5 February, 2029. Renewal effective on and from 5 November, 2007.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

CANCELLATION OF AUTHORITY AT REQUEST OF HOLDER

NOTICE is given that the following authority has been cancelled:

(05-5563)

Exploration Licence No. 6565, BAHATTIN ASLAN, County of Auckland, Map Sheet (8824), area of 4 units. Cancellation took effect on 10 April, 2008.

IAN MACDONALD, M.L.C.,
Minister for Mineral Resources

FISHERIES MANAGEMENT ACT 1994

Section 8 Notification – Fishing Closure

Trip Limits for the Southern Fish Trawl Restricted Fishery, the Ocean Trawl Fishery and the Ocean Trap & Line Fishery I, IAN MACDONALD, MLC, Minister for Primary Industries, pursuant to section 8 of the Fisheries Management Act 1994, do by this notification:

1. Prohibit the taking of all fish of the species specified in Column 1 of Schedule 1 to this notification, for the period described opposite in Column 2 of Schedule 1, by the methods of fishing specified opposite in Column 3 of Schedule 1, from the waters described opposite in Column 4 of Schedule 1;
2. Prohibit the taking of all fish of the species specified in Column 1 of Schedule 2 to this notification, for the period described opposite in Column 2 of Schedule 2, by the methods of fishing specified opposite in Column 3 of Schedule 2, from the waters described opposite in Column 4 of Schedule 2, except when those fish species are taken in accordance with the trip limit conditions specified opposite in Column 5 of Schedule 2.

In the Schedules to this notification:

“General Regulation” means the Fisheries Management (General) Regulation 2002.

“OCS” means the Offshore Constitutional Settlement.

“Fishing trip” means the time from departure of the boat from port to the time of return of the boat or the catch to port, whichever occurs first. For the purpose of this notification, fishers are not permitted to undertake more than one fishing trip during a twenty four hour period.

SCHEDULE 1

<i>Column 1 Species</i>	<i>Column 2 Period</i>	<i>Column 3 Method</i>	<i>Column 4 Waters</i>
Orange roughy (<i>Hoplostethus atlanticus</i>), smooth oreo dory (<i>Pseudocyttus maculatus</i>), black oreo dory (<i>Alloctytus niger</i>), spiky oreo dory (<i>Neocyttus rhomboidalis</i>) and warty oreo dory (<i>Alloctytus verrucosus</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters including those waters subject to an OCS agreement between the State and the Commonwealth.
Pink ling (<i>Genypterus blacodes</i>), mirror dory (<i>Zenopsis nebulosis</i>), blue-eye trevalla (<i>Hyperoglyphe antarctica</i>), blue grenadier (<i>Macruronus noveazelandiae</i>) and royal red prawns (<i>Haliporoides sibogae</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters west of a line drawn 3 nautical miles east of the coastal baseline.

SCHEDULE 2

<i>Column 1 Species</i>	<i>Column 2 Period</i>	<i>Column 3 Method</i>	<i>Column 4 Waters</i>	<i>Column 5 Trip Limit</i>
Redfish (<i>Centroberyx affinis</i>).	From 1 November to 31 December and from 1 January to 30 June inclusive in each year.	Otter trawl net (fish) as prescribed in Clause 38 of the General Regulation.	All NSW ocean waters north of Barrenjoey Headland including those waters subject to an OCS agreement between the State and Commonwealth.	No more than 250 kg whole weight in possession on board the fishing vessel during each fishing trip.
Redfish (<i>Centroberyx affinis</i>).	From 1 July to 31 October inclusive in each year.	Otter trawl net (fish) as prescribed in Clause 38 of the General Regulation.	All NSW ocean waters north of Barrenjoey Headland including those waters subject to an OCS agreement between the State and Commonwealth.	No more than 1000 kg whole weight in possession on board the fishing vessel during each fishing trip.
Redfish (<i>Centroberyx affinis</i>).	From 1 January to 31 December inclusive in each year.	Otter trawl net (fish) as prescribed in Clause 38 of the General Regulation.	All NSW ocean waters south of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 100 kg whole weight in possession on board the fishing vessel during each fishing trip.
Blue warehou (<i>Seriolella brama</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 100 kg whole weight in possession on board the fishing vessel during each fishing trip.
Spotted warehou (<i>Seriolella punctata</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 50 kg whole weight in possession on board the fishing vessel during each fishing trip.
Jackass morwong (<i>Nemadactylus macropterus</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters north of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 50 kg whole weight in possession on board the fishing vessel during each fishing trip.
Jackass morwong (<i>Nemadactylus macropterus</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters south of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 350 kg whole weight in possession on board the fishing vessel during each fishing trip.
Ocean perch (<i>Helicolenus percoides</i>).	From 1 January to 31 March inclusive in each year,	By all methods.	All NSW ocean waters north of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 500 kg whole weight in possession on board the fishing vessel during each fishing trip.
Ocean perch (<i>Helicolenus percoides</i>).	From 1 April to 31 December inclusive in each year.	By all methods	All NSW ocean waters north of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 1000 kg whole weight in possession on board the fishing vessel during each fishing trip.

<i>Column 1 Species</i>	<i>Column 2 Period</i>	<i>Column 3 Method</i>	<i>Column 4 Waters</i>	<i>Column 5 Trip Limit</i>
Ocean perch (<i>Helicolenus percoides</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters south of Barrenjoey Headland including those waters subject to an OCS agreement between the State and the Commonwealth.	No more than 300 kg whole weight in possession on board the fishing vessel during each fishing trip.
Tiger flathead (<i>Neoplatycephalus richardsoni</i>), tooth/ goldspot flathead (<i>Neoplatycephalus aurimaculatus</i>), sand flathead (<i>Platycephalus bassensis</i>) and yank flathead (<i>Platycephalus speculator</i>).	From 1 January to 31 December inclusive in each year.	By all methods.	All NSW ocean waters south of Barrenjoey Headland including waters 3 nautical miles east of the coastal baselines.	No more than 200 kg whole weight of all flathead species combined in possession on board the fishing vessel during each fishing trip.

Note: Please refer to *NSW Government Gazette* No. 56 of 18 May 2005 at pages 1729 to 1730 in relation to the prohibitions on Gemfish (*Rexea solandri*) which remain in force until 18 May 2010.

The provisions of this fishing closure in respect of endorsement holders in the Ocean Trawl Fishery and Ocean Trap and Line Fishery have effect despite any provision in the Fisheries Management (Ocean Trawl Share Management Plan) Regulation 2006 and Fisheries Management (Ocean Trap and Line Share Management Plan) Regulation 2006.

This fishing closure is effective for a period of five (5) years commencing on 1 May 2008 unless sooner amended or revoked.

Dated this 23rd day of April 2008.

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

Roads and Traffic Authority

ROAD TRANSPORT (GENERAL) ACT 2005

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

FAIRFIELD 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.

ALAN YOUNG,
General Manager,
Fairfield City Council
(by delegation from the Minister for Roads)
18 April 2008

SCHEDULE

1. Citation

This Notice may be cited as Fairfield City Council 25 Metre B-Double route Notice No 01/2008

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 Name</i>	<i>Starting Point</i>	<i>Finishing Point</i>
25	Rennie Street, Wetherill Park	The Horsley Drive	The Horsley Drive
25	Enterprise Place, Wetherill Park	Rennie Street	Entire route

Department of Water and Energy

WATER ACT 1912

APPLICATION for a licence under section 10 of Part 2 of the Water Act 1912, has been received as follows:

GLENDON PARK PASTORAL CO PTY LTD for a pump on Lambs Valley Creek Lot 15, DP 751442, Parish Chandler, County Clarke, for water supply for industrial (piggery) purposes (50 megalitres) (new licence, entitlement by way of permanent transfer).

Written objections to the application specifying the grounds thereof must be lodged with the Department of Water and Energy, PO Box 796, Murwillumbah NSW 2484 within 28 days of the date of publication.

DENNIS MILLING,
Manager Licensing (North)

Other Notices

THE CORPORATIONS ACT 2001

Notice under Section 601AC of the Corporations Act 2001 as applied by Section 325 of the Co-operatives Act 1992

NOTICE is hereby given that the Co-operative mentioned below will be deregistered when three months have passed since the publication of this notice.

Australian Sub-Tropical Coffee Growers' Co-operative Ltd

Dated this twenty-second day of April 2008.

C. GOWLAND,
Delegate of the Registrar of Co-operatives

DISTRICT COURT ACT 1973

District Court of New South Wales
Direction

PURSUANT to section 173 of the District Court Act 1973, I direct that the District Court shall sit in its criminal jurisdiction at the place and time shown as follows:

Wagga Wagga 10.00am Tuesday 29 April 2008
(special sitting one day only)

Dated this 17th day of April 2008.

R. O. BLANCH,
Chief Judge

EXPLOSIVES REGULATION 2005

Exemption Order – No. 001/08

I, John Watson, General Manager of the Occupational Health and Safety Division, WorkCover Authority of New South Wales, pursuant to clause 94 of the Explosives Regulation 2005 (the Regulation), make the following Exemption Order.

Dated this 10th day of April 2008.

JOHN WATSON,
General Manager,
Occupational Health and Safety Division,
WorkCover Authority of New South Wales

Explanatory Note

Clause 94 of the Explosives Regulation 2005 provides that the regulatory authority may, by order published in the new South Wales Government Gazette, exempt any persons or things from any provision of the Regulation. This order exempts:

- (a) from clause 15 (the requirement to hold a licence for the handling of an explosive or an explosive precursor), and
- (b) clause 86 (prohibition on transport of explosives by vehicles in certain areas) of the Regulation, certain officers of the NSW Police Force, subject to conditions.

Explosives Regulation 2005 Exemption Order No. 001/08

1. Name of Order

This Order is the Explosives Regulation 2005 Exemption Order No. 001/08.

2. Commencement

This Order commences on the date it is published in the New South Wales Government Gazette and has effect for a period of five years from that date.

3. Exemptions

Officers of the NSW Police Force acting as members of the State Protection Support Unit, when handling explosives of the classification 1.4G (distraction device), in the course of their duties. The Officers of the NSW Police acting as members of the State Protection Support Unit are exempt from the provisions of clause 15, (insofar as clause 15 requires licensing of the possession, use and transport of explosives) and clause 86, (prohibition on transport of explosives by vehicles in certain areas), of the Explosives Regulation 2005.

Granting of the above exemption is subject to the following conditions:

- (a) The NSW Police must ensure the State Protection Support Unit have in place written procedures for the handling of explosives and explosive precursors applicable to the officers acting as members of the State Protection Support Unit. Unit Officers must ensure the procedures are strictly followed. The procedures must be detailed and specific to the officers acting as members of the State Protection Support Unit, and must be able to demonstrate equivalent levels of safety and security to the requirements of the Regulation.
- (b) The NSW Police must ensure the police officers to which this exemption relates are appropriately trained in the safe and secure handling of explosives and explosive precursors and that a record of that training is maintained.
- (c) The NSW Police must ensure the explosives are transported safely and securely and the transport of explosives complies with the Australian Explosives Code and its Addendum.
- (d) The NSW Police must keep a record of the names of police officers working in the State Protection Support Unit which are subject to this exemption. Once a police officer ceases to be part of the Unit the officer is no longer covered by this exemption.

4. Definition

In this Order:

“classification 1.4G explosives, distraction device”, means an article containing an explosive substance and illuminating incendiary, as defined by the Australian Explosives Code.

“the Unit” means the State Protection Support Unit of the NSW Police.

“Handling, explosive and explosive precursors” have the same meaning as in the Explosives Act 2003 and Explosives Regulation 2005.

Please note: Under clause 95 of the Regulation, a Register of Exemptions must be kept by WorkCover NSW and be available for public inspection upon request

GAME AND FERAL ANIMAL CONTROL ACT 2002Notification 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 Lot 1, DP 556953; Lot 1C, DP 755223; Lot 71, DP 755223 and Lot 2, DP 850439 Martinsville for the control of fallow deer (dama dama):

For the period 2/5/2008 – 31/12/2009

Approved by Game Council of NSW this 24th day of April 2008.

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

HERITAGE ACT 1977

Order Under Section 57 (2)

I, the Minister for Planning, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57 (2) of the Heritage Act 1977, do, by this my order:

- (1) revoke the existing exemptions made to the Historic Houses Trust under section 57 (2) of the Heritage Act; and
- (2) under section 57 (2) of the Heritage Act grant an exemption from all section 57 (1) activities to properties owned or managed by the Historic Houses Trust and listed on the State Heritage Register as outlined in Schedule A with the following conditions:
 - (a) that the Historic Houses Trust provide an annual report to the Heritage Council on future works proposed for its properties;
 - (b) that the Historic Houses Trust advise the Heritage Office archaeologists of any proposed works requiring major excavation at its properties to allow due consideration of the need for additional archaeological work;
 - (c) that the Director of the Historic Houses Trust must lodge all archaeological monitoring or excavation reports prepared with the Heritage Office library on completion after review by Heritage Office archaeologists;
 - (d) that the Historic Houses Trust employ as required a consultant historical archaeologist with appropriate archaeological qualifications, knowledge, skills and experience and the Director of the HHT must obtain the advice of that person about the heritage significance of the archaeological resource and/or the impact of the development proposal on the heritage significance of the archaeological resource, and take that advice into account;
 - (e) that the Director of the Historic Houses Trust must take into account as far as practicable the cumulative effect of approvals on the heritage significance of the item and on the heritage resource of its area;

- (f) that the Director of the Historic Houses Trust must ensure that approvals are in accordance with any requirements, guidelines, regulations and general conditions issued by the Heritage Council. The Director of the Historic Houses Trust may impose additional conditions which do not conflict with any Heritage Council conditions.

The Hon FRANK SARTOR, M.P.,
Minister for Planning,
Minister for Redfern Waterloo
and Minister for the Arts
Sydney, 11 April 2008

SCHEDULE A

<i>Item</i>	<i>State Heritage Register Listing Number</i>
1. Elizabeth Farm	00001
2. Rouse Hill House	00002
3. Elizabeth Bay House	00006
4. Glenfield Farm, Casula	00025
5. Hyde Park Barracks and The Mint	00190
6. Exeter Farm (Meurant's Cottage)	00205
7. The Rose Seidler House	00261
8. Wentworth Mausoleum	00622
9. Justice and Police Museum	00673
10. Meroogal, Nowra	00953
11. Vaucluse House	00955
12. Government House, Sydney	01070
13. First Government House Site (Museum of Sydney)	01309
14. Susannah Place	01310

MENTAL HEALTH ACT 2007

Section 109

I, Professor Debora Picone AM, Director-General of the NSW Department of Health, in pursuance of section 109 of the Mental Health Act 2007 DO HEREBY:

- (a) DECLARE the premises of Port Macquarie Base Hospital known as the Port Macquarie Mental Health Inpatient Unit, to be a mental health facility for the purposes of the Mental Health Act 2007;
- (b) DECLARE such facility to be designated as a "mental health assessment and inpatient treatment" class facility; and
- (c) RESTRICT such facility to the provision of services and performance of functions necessary for the assessment of persons for admission and for the treatment of mental health inpatients.

Signed, this 18th day of April 2008.

Professor DEBORA PICONE, AM,
Director-General

NATIONAL PARKS AND WILDLIFE ACT, 1974

Notice of Reservation of a National Park

I, the Honourable J. J. Spigelman AC, Lieutenant Governor of the State of New South Wales, with the advice of the Executive Council, reserve the lands described in the Schedule below, as part of Kosciuszko National Park, under

the provisions of Section 30A(1) of the National Parks and Wildlife Act, 1974.

Signed and sealed at Sydney this 5th day of March, 2008.

JAMES SPIGELMAN,
Lieutenant Governor,

By His Excellency's Command,

VERITY FIRTH, M.P.,
Minister for Climate Change and the Environment

GOD SAVE THE QUEEN!

SCHEDULE

Land District and LGA – Tumut

County Buccleuch, Parish Talbingo, about 154.4 hectares, being lots 9 & 11 DP 848009 and lot 22 DP1071613, inclusive of the bed of Mill Creek within lot 22 DP1071613, exclusive of Snowy Mountain Highway (30.175 wide) within aforesaid lot 22.: NPWS/05/24678.

PESTICIDES ACT 1999

Notice under Section 48 (4)

NOTICE is hereby given, pursuant to Section 48(4) of the Pesticides Act 1999, that I have granted an Aircraft (Pesticide Applicator) Licence, particulars of which are stated in the Schedule.

ALAN RITCHIE,
Manager Dangerous Goods,
Department of Environment and Climate Change NSW
by delegation

SCHEDULE

Aircraft (Pesticide Applicator) Licence

<i>Name and address of Licensee</i>	<i>Date of Granting of Licence</i>
Meandarra Aerial Spraying Pty Ltd "Maroondah" Meandarra Qld 4422	18 April 2008

**PROTECTION OF THE ENVIRONMENT
OPERATIONS ACT 1997**

Publication of Exemption Granted under Section 284

THE following exemption is published by the Environment Protection Authority (EPA) in accordance with section 284 of the Protection of the Environment Operations Act 1997. Section 284 of the Act provides that the EPA may exempt a person or class of persons from a specified provision of the Act or Regulations under the Act. The Board of the EPA approves the making of the exemption.

Dated: 15 April 2008.

LISA CORBYN,
Director General,
Environment Protection Authority

**PROTECTION OF THE ENVIRONMENT
OPERATIONS ACT 1997**

Order Granting Exemption Under Section 284

Preamble

This Order grants an exemption to an in-stack regulatory air emission limit for mercury to facilitate a project by Orica to permanently clean up a contamination legacy at its premises at Matraville, Sydney, adjacent to Botany Bay.

The contamination is referred to as the Carpark Waste and comprises medium-level chlorinated hydrocarbon contamination encapsulated within a synthetic liner.

Remediation of the Carpark Waste will deliver lasting community and environmental benefits by destroying the contaminated material using a technology - direct thermal desorption - that has been successfully applied worldwide to the remediation of chlorinated hydrocarbons. Remediation is a priority as the synthetic encapsulation liner is deteriorating and contaminants are migrating to the surrounding soil.

The soil at the Carpark Waste site has a high concentration of mercury relative to other sites that have been remediated using this technology. As a result, in-stack mercury emissions from Orica's proposed direct thermal desorption plant might not comply with the technology-based regulatory limit, notwithstanding the application of best practice emission controls.

Comprehensive studies have demonstrated that in-stack mercury emissions from the direct thermal desorption plant at the upper level allowed for in this exemption present a negligible health risk and will readily achieve the applicable environmental goals for mercury.

Stringent conditions attached to the exemption require the application of best-practice mercury emission controls throughout the remediation project while enabling Orica to clean up the chlorinated hydrocarbons in the Carpark Waste.

Background

- I. Orica Australia Pty Ltd is proposing to construct and operate a direct thermal desorption plant to remediate contaminated soil at its premises at Matraville. The direct thermal desorption plant includes a main gas stack.
- II. Emissions to atmosphere from the main gas stack must comply with the limits prescribed in the Protection of the Environment Operations (Clean Air) Regulation 2002 ("the Regulation").
- III. The Regulation prescribes an emission limit for mercury of 0.2 milligrams per cubic metre and for Type 1 and Type 2 substances (in aggregate) of 1.0 milligram per cubic metre. Mercury is a Type 1 substance.
- IV. Orica submitted a letter to the Environment Protection Authority (EPA) on 21 December 2007 seeking an exemption from Regulation limits for mercury and Type 1 and Type 2 substances on the basis that emissions from the main gas stack plant might not comply, notwithstanding the application of best practice emission controls.
- V. The exemption sought is for emissions from the main gas stack of up to 1.0 milligram per cubic metre for mercury and 1.8 milligrams per cubic metre for Type 1 and Type 2 substances.

- VI. The exemption request was supported by a comprehensive assessment of the health and environmental impacts of the exemption and of best-practice mercury controls for direct thermal desorption plants.
- VII. This assessment demonstrated that exemption will result in mercury concentrations in the receiving environment that are below the applicable health based impact assessment criteria and will have negligible human health risk.
- VIII. NSW Health and other independent advice indicates that the health impacts of an exemption will be negligible. Independent advice also confirms that Orica is adopting a best-practice approach to mercury emissions control.
- IX. Sections 284 (1) and (2) (b) of the Protection of the Environment Operations Act 1997 ("the Act") provide that the EPA may exempt a person or class of persons from any specified provision of the Act or the regulations under the Act in circumstances where:
- (i) the EPA is satisfied that it is not practicable to comply with the relevant provision or provisions, by implementing operational changes to plant or practices, and
 - (ii) the EPA is satisfied that non-compliance with the provision or provisions will not have any significant adverse effect on public health, property or the environment, and
 - (iii) the Board of the EPA approves the granting of the exemption.
- X. The EPA concluded from its review of all relevant information that:
- (i) the technology-based emission limit prescribed by the Regulation may not be achievable because the soil at this site has a high concentration of mercury relative to other sites worldwide that have been remediated using direct thermal desorption technology;
 - (ii) no mercury technologies have been identified that will conclusively enable Orica to achieve compliance with the in-stack emission limits prescribed for mercury and Type 1 and Type 2 substances (in aggregate);
 - (iii) in-stack mercury emissions of 1.0 milligram per cubic metre for mercury and 1.8 milligram per cubic metre for Type 1 and Type 2 substances (in aggregate) will result in environmental impacts that are within the applicable environmental criteria and will have negligible human health risk;
 - (iv) the exemption will not have any significant adverse effect on public health, property or the environment; and
 - (v) it is appropriate for the direct thermal desorption plant to commence commissioning with interim in-stack emissions limits for the main gas stack of 1.0 milligram per cubic metre for mercury and 1.8 milligrams per cubic metre for Type 1 and Type 2 substances (in aggregate) to enable available mercury control technologies to be assessed, with final limits to be established through the commissioning process.
- XI. On 11 March 2008, the Board of the EPA approved the granting of the exemption, subject to the conditions outlined in the Exemption Order.
- Order
- By this order, the Environment Protection Authority (EPA), with the approval of the Board of the EPA, grants to Orica Australia Pty Ltd (ACN 004 117 828) ("Orica") an exemption from s 128 of the Protection of the Environment Operations Act 1997 ("the Act") in relation to:
- (a) the emission of mercury individually; or
 - (b) the emission of Type 1 substances and Type 2 substances (in aggregate) where mercury forms part of the aggregate of those substances,
- from the main gas stack of the thermal desorption plant located on Lot 4 in DP 1016112 ("the main gas stack").
- The exemption operates from 1 January 2009 to 31 December 2010 (inclusive).
- The EPA is satisfied that:
- (a) it is not practicable for Orica to implement operational changes to its plant or practices to comply with s 128 of the Act in relation to:
 - (i) the emission of mercury individually, or
 - (ii) the emission of Type 1 substances and Type 2 substances (in aggregate) where mercury forms part of the aggregate of those substances,
 from the main gas stack because extensive reviews of international best practice have not identified any mercury technologies that will conclusively enable Orica to achieve compliance with the emission limits prescribed for these substances.
 - (b) non-compliance with section 128 of the Act will not have any significant impact on public health, property or the environment because rigorous assessments have demonstrated that there are no significant adverse effects on public health, property or the environment if mercury emissions from the main gas stack are at 1.0 milligram per cubic metre.
- The exemption is granted under section 284 of the Act subject to the following conditions:
1. The emission of mercury individually must not exceed 1.0 milligram per cubic metre.
 2. The emission of Type 1 substances and Type 2 substances (in aggregate), where mercury forms part of the aggregate of those substances, must not exceed 1.8 milligrams per cubic metre.
 3. This exemption only applies to emissions from the main gas stack arising from the treatment of:
 - (a) soil that has been removed from the synthetic liner on Lot 11 in DP 1039919, referred to as the "Carpark Waste"; or
 - (b) soil that has been removed from the immediate vicinity of the Carpark Waste that requires treatment for the remediation project as specified in the Remedial Action Plan prepared for the project as required by the Contaminated Land Management Act 1997 or as otherwise required by a condition of licence or approval applicable to the project.
 4. Orica must submit a Best Practice Mercury Control Report ("the Report") to the EPA.

5. Orica must provide the Report to the EPA at the same time that it submits its Technology Application to the EPA in accordance with Condition 13.2.2 of its Licence (Number 26) under the Environmentally Hazardous Chemicals Act 1985.
6. The Report must:
 - (a) include a review of developments in mercury control technology since 21 December 2007 that might be relevant to the thermal desorption plant.
 - (b) include a detailed specification of trials of mercury control technologies ("mercury control trials") to be undertaken during commissioning of the thermal desorption plant to reduce mercury emissions to the maximum extent practically achievable.
7. The mercury control trials must be structured with the objective of identifying:
 - (a) the mercury control technologies that can be used to achieve compliance with the Regulation emission limits for mercury individually and Type 1 and Type 2 substances (in aggregate); or
 - (b) if this compliance is not achievable, the mercury control technologies that can be employed to give a best-practice result for the reduction of mercury emissions from the main gas stack.
8. The mercury control trials must include trials of the following technologies:
 - (a) low pH scrubbing; and
 - (b) the injection of powdered activated carbon (both with and without special sorbents); and
 - (c) the injection of powdered activated carbon in combination with low pH scrubbing; and
 - (d) the injection of powdered activated carbon in combination with oxidative scrubbing; and
 - (e) any relevant additional mercury control technologies identified in the review required by Condition 6(a);

except if the review required by Condition 6 (a) compellingly demonstrates that a technology as listed in (a) to (d) above will not be reasonable and effective for the control or reduction of mercury emissions from the main gas stack and the EPA has given written approval to Orica that the particular technology can be excluded from the mercury control trials.
9. The detailed specification of the mercury control trials required by condition 6(b) must include, but is not limited to:
 - (a) the number of trials to be conducted on each mercury control technology (or combination of technologies) to ensure that repeatable results are obtained; and
 - (b) the full methodology to be used for each trial, including the duration, operational parameters, monitoring frequencies and test methods; and
 - (c) the criteria to be applied in assessing the success or otherwise of each trial and for moving on to the next trial, as appropriate; and
 - (d) the principles to be used for determining that mercury emissions have been reduced to the maximum extent achievable through the application of best practice.
10. Once Orica has submitted the Report, the EPA may approve the carrying out of the mercury control trials as detailed in the Report or subject to any conditions imposed by the EPA. Orica shall not carry out the mercury control trials without this approval from the EPA. This condition does not exempt Orica from obtaining any other necessary approvals or licences for the carrying out of the mercury control trials.
11. Orica must make the results of any mercury control trials that are undertaken by it, or at its request, available in writing to the EPA as soon as practicable after the completion of each trial.
12. Notwithstanding Conditions 1 and 2, on completion of the mercury control trials, Orica must comply with any emission limits determined and imposed by the EPA for:
 - (a) the emission of mercury individually, or
 - (b) the emission of Type 1 substances and Type 2 substances (in aggregate) where mercury forms part of the aggregate of those substances, from the main gas stack.

Dated 15 April 2008.

LISA CORBYN,
Director General,
Environment Protection Authority

SUBORDINATE LEGISLATION ACT 1989

Sydney Catchment Authority

Notice under Section 5 of the Subordinate Legislation Act 1989

Remaking of the Sydney Water Catchment Management (General) Regulation 2000

Sydney Water Catchment Management (Environment Protection) Regulation 2001

THE Sydney Catchment Authority (SCA) is responsible for administering the Sydney Water Catchment Management (General) Regulation 2000 and the Sydney Water Catchment Management (Environment Protection) Regulation 2001. The provisions of both regulations will be repealed on 1 September 2008 in accordance with the statutory repeal provisions under the Subordinate Legislation Act 1989 unless they are remade. The SCA has reviewed both regulations and proposes to remake the existing regulations as one new regulation to be known as the Sydney Water Catchment Management Regulation 2008.

The objective of the proposed regulation is to provide the SCA with a mechanism for meeting its objectives under the Sydney Water Catchment Management Act 1998 with regard to the management and protection of catchment areas and catchment infrastructure works.

The proposed draft Sydney Water Catchment Management Regulation 2008 and the regulatory impact statement are on public exhibition from 2 May - 30 May 2008. Copies of the proposed draft regulation and the regulatory impact statement can be obtained from the SCA's website www.sca.nsw.gov.au or can be viewed between 8.30am and 5.00pm business days at the following SCA office:

Sydney Catchment Authority
Level 2, 311 High Street
Penrith NSW 2750

The SCA invites written comments and submissions by Friday 30 May 2008, addressed to:

Regulations
Sydney Catchment Authority
PO Box 323
Penrith NSW 2751

or

regulations@sca.nsw.gov.au

SPORTING INJURIES INSURANCE ACT 1978

Sporting Injuries Committee

Sydney, 19 March 2008

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare by this order the

Black Diamond Australian Football League Inc.

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Netball.

MURRAY McLACHLAN,
Deputy Chairperson

SPORTING INJURIES INSURANCE ACT 1978

Sporting Injuries Committee

Sydney, 5 March 2008

Order of Declaration under Section 5

IN pursuance of section 5 of the Sporting Injuries Insurance Act 1978, I declare by this order the

Penshurst RSL Panthers Junior Australian Football Club Inc.

to be a sporting organisation, for the purposes of the provisions of the Act, in respect of the activity of Australian Rules.

MURRAY McLACHLAN,
Deputy Chairperson

SYDNEY WATER CATCHMENT MANAGEMENT ACT 1998

Notification of Compulsory Acquisition of Land

THE Sydney Catchment Authority declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under provisions of the Land Acquisition (Just Terms Compensation) Act 1991 for the purposes of the Sydney Water Catchment Management Act 1998.

Dated this day of 21 April 2008.

IAN TANNER,
A/Chief Executive,
Sydney Catchment Authority

SCHEDULE

1. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Camden and State of New South Wales being Lot 1, DP 566520 and being the land comprised in Certificate of Title Folio Identifier 1/566520 and having an area of 0.397172 hectares.
2. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/201950 and being Lot 1, DP 201950 and having an area of 0.160057 hectares.
3. All that piece or parcel of land in the Parish of Yarrunga, County of Camden, Local Government area of Wingecarribee and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/575709 and being Lot 1, DP 575709 and having an area of 0.133015 hectares.
4. All that piece or parcel of land in the Parish of Mittagong, County of Camden, Local Government area of Wingecarribee and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/627617 and being Lot 1, DP 627617 and having an area of 0.089867 hectares.
5. All that piece or parcel of land in the Parish of Mittagong, County of Camden, Local Government area of Wingecarribee and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/610594 and being Lot 1, DP 610594 and having an area of 8.451719 hectares.
6. All that piece or parcel of land in the Parish of Burrawang, County of Camden, Local Government area of Shoalhaven and State of New South Wales being the land comprised in Certificate of Title Folio Identifier B/103399 and being Lot B, DP 103399 and having an area of 9.822558 hectares.
7. All those pieces or parcels of land in the Parish of Burrawang, County of Camden, Local Government area of Shoalhaven and State of New South Wales being the land comprised in Certificate of Title Auto consol 7980-185 and being Lots C and D, DP 103399 and Lot 24, DP 751262 and each Lot having an area of 5.427711, 9.758469 and 16.19883 hectares respectively.
8. All that piece or parcel of land in the Parish of Burrawang, County of Camden, Local Government area of Shoalhaven and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 295/751262 and being Lot 295, DP 751262 and having an area of 15.84886 hectares.
9. All that piece or parcel of land in the Parish of Burrawang, County of Camden, Local Government area of Shoalhaven and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/1028756 and being Lot 1, DP 1028756 and having an area of 2.586825 hectares.
10. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier B/343366 and being Lot B, DP 343366 and having an area of 0.115697 hectares.
11. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/336901 and being Lot 1, DP 336901 and having an area of 0.10194 hectares.

12. All those pieces or parcels of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title auto Consol 9297-160 and being Lots 1, 2, and 3, DP 214006 reserving out an easement in gross in favour of the Sydney Water Corporation being an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 2, DP 214006 shown on DP 1050676 as “(B) EASEMENT FOR WATER SUPPLY PURPOSES VARIABLE WIDTH” having an area of 155.1m² and each Lot having an area of 2.42058, 2.891196 and 5.323625 hectares respectively.
13. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 2/204575 and being Lot 2, DP 204575 reserving out an easement in gross in favour of the Sydney Water Corporation being an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 2, DP 204575 as shown on DP 1050656 as “(A) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 5 WIDE & VARIABLE” having an area of 5438m² and having an area of 34.19442 hectares
14. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being part of the land comprised in Certificate of Title Folio Identifier 32/661352 and being Lot 2, DP 1050676 and having an area of 13.37 hectares, reserving out easements in gross in favour of the Sydney Water Corporation being:
- an easement for access and services more fully described in Memorandum 7158335G lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 2, DP 1050676 as shown on DP 1050676 as “(A) PROPOSED EASEMENT FOR ACCESS & SERVICES 31 WIDE” having an area of 1049m².
 - an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 2, DP 1050676 as shown on DP 1050676 as “(B) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES VARIABLE WIDTH” having an area of 2381m² and having an area of 0.397172 hectares.
 - an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 2, DP 1050676 as shown on DP 1050676 as “(C) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 5 WIDE” and having an area of 0.397172 hectares.
15. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier A/336900 and being Lot A, DP 336900 reserving out an easement in gross in favour of the Sydney Water Corporation being an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot A, DP 336900 as shown on DP 1050676 as “(C) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 5 WIDE” having an area of 160m² and having an area of 0.054583 hectares.
16. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier B/336900 and being Lot B, DP 336900 reserving out an easement in gross in favour of the Sydney Water Corporation being an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot B, DP 336900 as shown on DP 1050676 as “(C) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 5 WIDE” having an area of 160m² and having an area of 0.057799 hectares.
17. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and the State of New South Wales being the land comprised in Certificate of Title Folio Identifier C/376508 and being Lot C, DP 376508 reserving out an easement in gross in favour of the Sydney Water Corporation being an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot C, DP 376508 as shown on DP 1050676 as “(C) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 5 WIDE” being 160.1m², and having an area of 0.59447 hectares
18. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/328420 and being Lot 1, DP 328420 and having an area of 0.816277 hectares.
19. All that piece or parcel of land in the Parish of Warragamba, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 58/751294 and being Lot 58, DP 751294 and having an area of 16.286 hectares.
20. All that piece or parcel of land in the Parish of Burragorang, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/537396 and being Lot 1, DP 537396 and having an area of 0.352186 hectares.
21. All that piece or parcel of land in the Parish of Wilton, County of Camden, Local Government area of Wollondilly and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/88145 and being Lot 1, DP 88145 and having an area of 0.277846 hectares.

22. All that piece or parcel of land in the Parish of Boro, County of Argyle, Local Government Area of Goulburn Mulwaree and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/793487 and being Lot 1, DP 793487 and having an area of 40.00 hectares.
23. All that piece or parcel of land in the Parish of Larbert, County of Murray, Local Government area of Palerang and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 213/754892 and being Lot 213, DP 754892 and having an area of 638.923 hectares.
24. All that piece or parcel of land in the Parish of Castlereagh, County of Cumberland Local Government area of Penrith and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/233967 and being Lot 1, DP 233967 subject to unregistered Licence to Occupy Land to Ross Henry Sinclair c/o Log Cabin Motel Memorial Avenue Penrith NSW 2750 and having an area of 0.284646 hectares
25. All that piece or parcel of land in the Parish of Heathcote, County of Cumberland, Local Government area of Wollongong and State of New South Wales being the land comprised in Certificate of Title Folio Identifier 1/219640 and being Lot 1, DP 219640 and having an area of 1.493664 hectares, reserving out easements in gross in favour of the Sydney Water Corporation being:
- (a) an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 1, DP 219640 as shown on DP 1059919 as “(A) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 3 WIDE & VARIABLE” having an area of 86.347m².
 - (b) an easement for water supply purposes more fully described in Memorandum 7158331Q lodged at the Department of Lands (Division of Land and Property Information NSW), Sydney over Lot 1, DP 219640 as shown on DP 1059919 as “(A) PROPOSED EASEMENT FOR WATER SUPPLY PURPOSES 3 WIDE & VARIABLE” having an area of 371.155m².
- Certificate of Title Folio Identifier 1/219640 is subject to:
- (a) Registered Lease O346813 over that part of Lot 1, DP 219640 shown as Lot 1 DP 847365.
 - (b) Registered Lease 2296917 over part of Lot 1, DP 219640 shown as Lot 3, DP 858833.

PRIVATE ADVERTISEMENTS

COUNCIL NOTICES

WALGETT SHIRE COUNCIL

Local Government Act 1993 (Section 713)

Sale of Land for Unpaid Rates

NOTICE is hereby given to the persons named hereunder that Walgett Shire Council has resolved, in pursuance of section 713 of the Local Government Act 1993, to sell the land described hereunder, of which the persons named appear to be the owners or in which they have an interest, and on which the amount of rates and charges stated in each case as at 21st February 2008, are due:

<i>Assessment</i>	<i>Name</i>	<i>Address</i>	<i>Area Sqm</i>	<i>Amount of rates, charges and interest outstanding for more than 5 years</i>	<i>Amount of all other rates, charges and interest outstanding</i>	<i>TOTAL</i>
	(a)	(b)		(c)	(d)	(e)
8029	Robyn I KEY	Balaclava St Burren Junction Lot 5/4/758199 Vacant Land	2023	\$307.57	\$3,271.82	\$3,579.39
4978	Daryll Merton HOOK	Neilly St Walgett Lot 2/839372 House and Land	386	\$6,488.93	\$9,267.01	\$15,755.94
22020	Thomas BRUMMELL	Merrywinebone Prt Lot 21/752239 Vacant Land	2023		\$360.61	\$360.61
9134	Paul John LUNN	Oliver St Carinda Westpac Banking Corporation Lot 5/13/758227 Vacant Land	2023	\$4,584.56	\$5,009.18	\$9,593.74
1263	Walgett Game Meats Processing Works Pty	95 Dewhurst St Walgett Lot 4/236733 Vacant Land	721		\$7,499.98	\$7,499.98
9308	David Wayne SMITH	Warren St Carinda The Official trustee in Bankruptcy Lot 2/2/758227 Vacant land	2023	\$4,918.75	\$5,396.34	\$10,315.09
7500	Margaret Janelle WHITE	63 Neilly St Walgett Lot 32/534846 Vacant land	892	\$1,136.71	\$6,686.70	\$7,823.41
11973	David Wayne SMITH	Colless St Come By Chance The Official Trustee in Bankruptcy Lot 2/226811 Vacant Land	2264		\$173.95	\$173.95
53520	Neil Anthony HOULTON Noel William BRUIN	Narran St Collarenebri Lots 34 & 35/238593 Vacant Land	2023	\$3,762.36	\$7,881.95	\$11,644.31

In default of payment to Council of the amount stated in column (e) above and any other rates including charges becoming due and payable after publication of this notice, or an arrangement satisfactory to the Council for payment of all such rates being entered into by the rateable person before the time fixed for the sale, the said land will be offered for sale by public auction at Walgett Shire Council Chambers, 77 Fox Street, Walgett on Friday 13 June 2008 at 10.00am by Clemson Hiscox and Co. RAYMOND KENT, General Manager, Walgett Shire Council.

[3877]

GWYDIR SHIRE COUNCIL

Local Government Act 1993

Land Acquisition (Just Terms Compensation) 1991

Notice of Compulsory Acquisition of Land

GWYDIR SHIRE COUNCIL declares, with the approval of Her Excellency the Governor, that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, for the purpose of a noxious weeds depot. Dated at Bingara, 7 April 2008. MAX EASTCOTT, General Manager, Gwydir Shire Council, PO Box 93, Warialda NSW 2402.

SCHEDULE

Lot 321, DP 751137.

[3878]

ESTATE NOTICES

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of FRANCIS DUNCAN, late of 41 Marshall Street, Kogarah, in the State of New South Wales, who died on 26 September 2007, must send particulars of the claim to the executrices, Kerry Anne Holmes and Suzanne Tracey, c.o. Denis M. Anderson, Solicitor, 10 Regent Street, Kogarah NSW 2217, within one (1) calendar month from publication of this notice. After that time the executors may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 26 February 2008. DENIS M. ANDERSON, Solicitor, 10 Regent Street, Kogarah NSW 2217 (PO Box 148, Kogarah 1485), tel.: (02) 9587 0440. [3879]

NOTICE of intended distribution of estate – Any person having any claim upon the estate of GLADYS STEPHENSON, late of Epping, in the State of New South Wales, who died on 3 February 2008, must send particulars of his claim to the Executor, IAN THOMAS STEPHENSON care of Newnhams Solicitors, 122 Castlereagh Street, Sydney, within one calendar month from publication of this notice. After that time the Executor may distribute the assets of the estate having regard only to the claims of which at the time of distribution he has notice. Probate was granted in New South Wales on 16 April 2008. NEWNHAMS, Solicitors, 7th Floor, Highmount House, 122 Castlereagh Street, Sydney NSW 2000 (DX665, Sydney), tel.: (02) 9264 7788. Reference: BLM:ME:6149. [3880]

NOTICE of intended distribution of estate. – Any person having any claim upon the estate of SYLVIA AMY McINTOSH, late of Yallamabee Village, 34 Hydræ Street, Revesby NSW 2212, in the State of New South Wales, who died on 18 January 2008, must send particulars of his claim to the executor, Shirley Gloria Stewart, c.o. Colin J. Duff, Solicitor, 7 Morts Road, Mortdale NSW 2223, within one (1) calendar month from publication of this notice. After that time the assets of the estate may be conveyed and distributed having regard only to the claims of which at the time of conveyance or distribution the executor has notice. Probate was granted in New South Wales on 9 April 2008. COLIN J. DUFF, Solicitor, 7 Morts Road, Mortdale NSW 2223 (DX11307, Hurstville), tel.: (02) 9570 2022. [3881]

COMPANY NOTICES

NOTICE of Special Resolution – TODD BONA VISTA PTY LTD, A.C.N. 000 857 778. – At a general meeting of members of Todd Bona Vista Pty Ltd, duly convened and held at 22 Bridge Street, Moree NSW on 24 April 2008, the following Special Resolution was duly passed: "that the company be wound up as a members' voluntary liquidation and that the Assets of the company be distributed in whole or part to the members in specie should the liquidator so desire and that Mr Mark Henry Johnson of C & W Partners, Chartered Accountants be appointed Liquidator." C & W PARTNERS, Chartered Accountants, 22 Bridge Street, PO Box 201, Moree NSW 2400, tel.: (02) 6759 1000. [3882]