

Government Gazette

of the State of
New South Wales
Number 70
Friday, 5 July 2019

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Date:	<i>16/08/2019</i>
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PARLIAMENT

ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 25 June 2019

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 under mentioned Acts passed by the Legislative Assembly and Legislative Council of New South Wales in Parliament assembled, viz.:

Act No. 3 — An Act to appropriate out of the Consolidated Fund sums for the services of the Government for the year 2019–20 and to make an additional appropriation to give effect to budget variations for the year 2018–19. **[Appropriation Bill]**

Act No. 4 — An Act to appropriate out of the Consolidated Fund a sum for the services of the Legislature for the year 2019–20. **[Appropriation (Parliament) Bill]**

Act No. 5 — An Act to amend the *Crimes (Administration of Sentences) Act 1999* in relation to behaviour management policies and withdrawable privileges provided to inmates. **[Crimes (Administration of Sentences) Amendment (Inmate Behaviour) Bill]**

Act No. 6 — An Act to amend the *Local Government Act 1993* with respect to rates, tendering requirements, election planning, mutual recognition of approvals and other regulatory matters; and for other purposes. **[Local Government Amendment Bill]**

Act No. 7 — An Act to establish the office of Ageing and Disability Commissioner and to provide for the functions of that office; and for other purposes. **[Ageing and Disability Commissioner Bill]**

Helen Minnican
Clerk of the Legislative Assembly

(n2019-1897)

GOVERNMENT NOTICES

Planning and Environment Notices

ENVIRONMENTAL PLANNING AND ASSESSMENT (SAVINGS, TRANSITIONAL AND OTHER PROVISIONS) REGULATION 2017

This is an Order under the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*

Pursuant to *Environmental Planning and Assessment Amendment (Integrated Development and Concurrences) Regulation 2018*

I, Jim Betts, the Planning Secretary of the Department of Planning and Environment, in pursuance of clause 24(2) of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*, do, by this Order:

1. exempt the following consent authorities from the application of clause 24(1) of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*:
 - i. Cobar Shire Council
 - ii. Kempsey Shire Council
 - iii. Snowy-Monaro Regional Council
 - iv. Campbelltown City Council
 - v. Lane Cove Council
 - vi. Parramatta City Council
 - vii. Tenterfield Shire Council

This Order applies from 5 July 2019.

Dated 28 June 2019

Jim Betts
Planning Secretary
Department of Planning and Environment

(n2019-1898)

SUBORDINATE LEGISLATION ACT 1989

Environment Protection Authority

Protection of the Environment Operations (Underground Petroleum Storage Systems)
Regulation 2019

NOTICE is given in accordance with the *Subordinate Legislation Act 1989* that the Environment Protection Authority intends to make the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019. The object of this Regulation is to remake, with minor amendments, the provisions of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014*, which is repealed on 1 September 2019.

The proposed Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 and accompanying Regulatory Impact Statement are available from the NSW Environment Protection Authority by phoning (02) 9995 6620 or submitting a request via email to UPSSREG@epa.nsw.gov.au

The Environment Protection Authority is accepting submissions on the proposed Regulation until the close of business on 31 July 2019. Submissions previously made through the "Have your say" engagement portal do not need to be resubmitted. All submissions will be considered in finalising the Regulation.

You can provide your written submission (including name, organisation & contact details) in either of the following ways: Email your submission to: UPSSREG@epa.nsw.gov.au or post your written submission to: Environment Protection Authority, UPSS Regulation Team, PO Box A290, SYDNEY SOUTH, NSW 1232

ROB HOGAN,
A/Director Contaminated Land Management
Environment Protection Authority

(n2019-1899)

Order conferring biodiversity certification – Mt Gilead Stage 1

Under section 126H of the *Threatened Species Conservation Act 1995*

Under section 126H of the *Threatened Species Conservation Act 1995* (**the Act**), I Anthony Lean, Chief Executive of the Office of Environment and Heritage, as delegate of the Minister for Energy and Environment, confer biodiversity certification on the specified land.

Under section 126P of the Act, I have determined on the basis of a biodiversity certification assessment that the overall effect of biodiversity certification is to improve or maintain biodiversity values.

Under section 126Y of the Act, I specify the measures listed in Schedule 3 as approved measures, and the timing for implementation of those measures, under this biodiversity certification.

Under section 126Z of the Act, I identify the parties to the biodiversity certification in Schedule 5.

Under section 126ZA of the Act, biodiversity certification of the specified land takes effect from the date of publication of this order in the NSW Government Gazette and remains in force indefinitely.

Note: This order is made in relation to an application for biodiversity certification made under Part 7AA of the Act (**Application**) pursuant to cl 37 of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*. In accordance with clause 37(4) of the *Biodiversity Conservation (Savings and Transitional) Regulation 2017*, the biodiversity certification is taken to be biodiversity certification conferred on the specified land under Part 8 of the *Biodiversity Conservation Act 2016*.

Definition

In this order:

"Conservation Area" means the land within the "Biobank Site Boundary" on the map in Schedule 4.

"HN528 Biodiversity Credit" means biodiversity credit having the plant community code HN528.

"HN556 Biodiversity Credit" means biodiversity credit having the plant community code HN556.

"Koala species credit" means the biodiversity credits having the species code koala.

"specified land" means the land described in Schedule 1 to this order that is also marked as "Land to be Certified" on the map in Schedule 2.

Notes do not form part of this order.

ANTHONY LEAN

Chief Executive of the Office of Environment and Heritage
(as delegate of the Minister)

Signed at Sydney, this 28 day of JUNE 2019

Schedule 1 Description of the specified land

Lots within deposited plans	
DP Number	Lot
Lot 61	DP 752042
Lot 1	DP 1240836
Lot 2	DP 1240836
Lot 3	DP 1240836
Lot 4	DP 1240836
Lot 5	DP 1240836
Lot 2	DP 1218887

Schedule 2 Map of the specified land



Schedule 3 Approved measures

The approved measures under this order are as follows:

Conservation measures

1. The entering into a biodiversity banking agreement over the Conservation Area as a Conservation Measure and the subsequent retirement of all Biodiversity Credits generated from that site.
2. The retirement of 104 HN556 Biodiversity Credits, and 85 Koala species credits, generated from the Macarthur-Onslow Mt Gilead Biodiversity Stewardship site listed on the public register with ID 208.
3. The retirement of 28 HN528 Biodiversity Credits, and 48 Koala species credits, generated from the Noorumba-Mt Gilead Biodiversity Stewardship site listed on the public register with ID 209.
4. The retirement of 151 Koala species biodiversity credits as referred to in the Biodiversity Stewardship Agreement listed on the public register with ID 239.

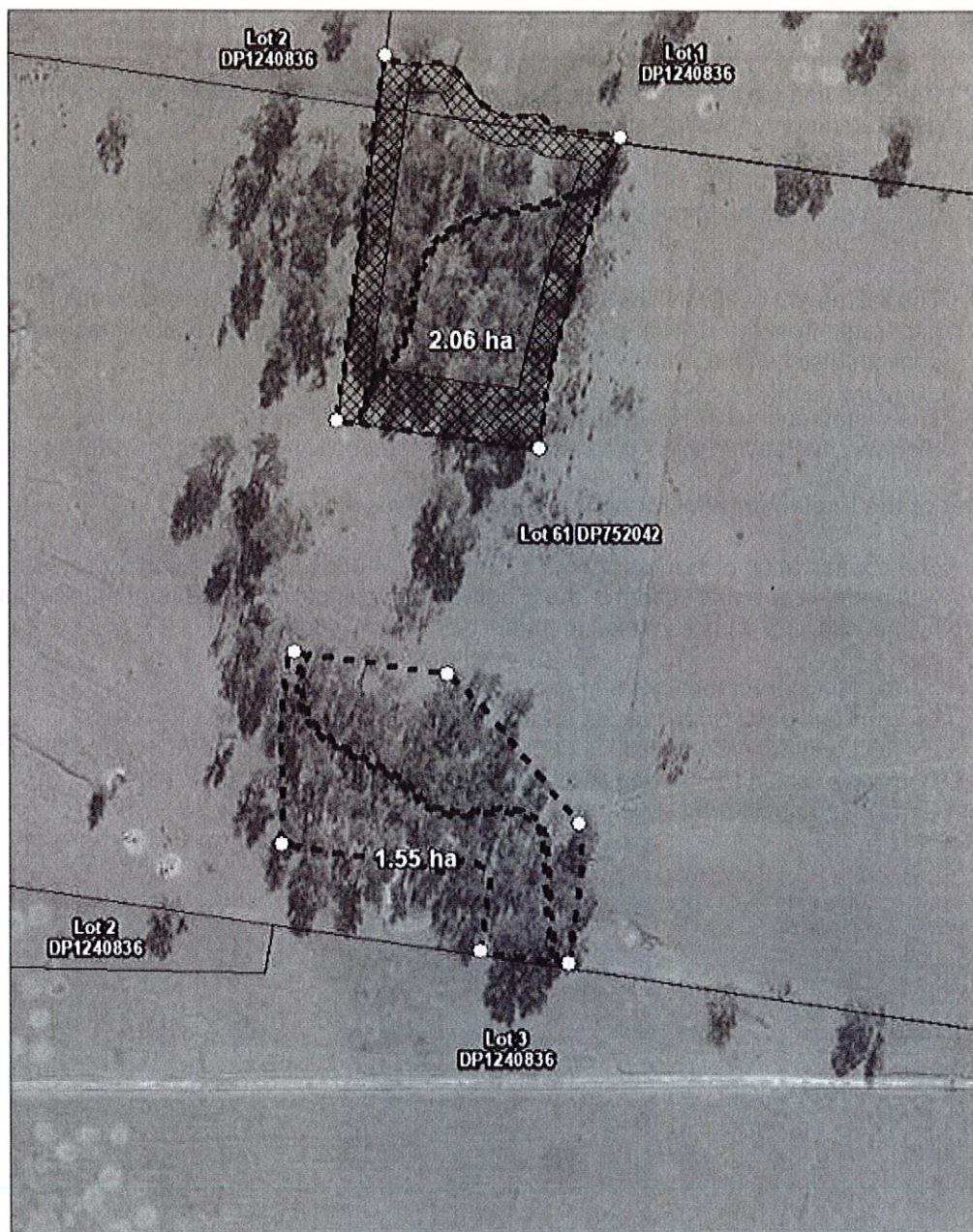
Timing of the implementation of conservation measures

5. The conservation measures set out in clauses 1-4 above, must be implemented within the timeframes set out in the Biodiversity Certification Agreement entered into by the following parties in relation to this biodiversity certification:
 - (a) Minister for the Environment
 - (b) Lendlease Communities (Mount Gilead) Pty Limited ACN 605 278 331
 - (c) Lendlease Communities (Mount Gilead No. 3) Pty Limited ACN 614 296 294
 - (d) Mt Gilead Pty Limited ACN 008 499 189; and
 - (e) Campbelltown City Council.

Schedule 4 Map of the Conservation Area

Site Map

Hillsborough Biobank Site



Legend

- Biobank Site Boundary
- Biobank Site Corner Points
- Red Flag EEC Buffer
- Cadastre

0 15 30 60
Metres
PROJ: 5501, SOA: 1994 MDA: 2016.10

Location: Mt Gilead, NSW
Lot DP: 61/752042
Part Lot DP: 1/1240836
Date prepared: 12/12/2018



Schedule 5 Parties to the biodiversity certification

Lendlease Communities (Mount Gilead) Pty Limited ACN 605 278 331

Lendlease Communities (Mount Gilead No. 3) Pty Limited ACN 614 296 294

Mt Gilead Pty Limited ACN 008 499 189

Campbelltown City Council

(n2019-1900)

