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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, private and other notices.

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Planning and Environment Notices

HERITAGE ACT 1977

NOTICE OF LISTING ON THE STATE HERITAGE REGISTER UNDER SECTION 37(1)(b)

Central Park
125 Dangar Street, Armidale

SHR No. 02019

In pursuance of section 37(1)(b) of the *Heritage Act 1977* (NSW), the Heritage Council gives notice that the item of environmental heritage specified in Schedule “A” has been listed on the State Heritage Register in accordance with the decision of the Minister for Heritage made on 13 December 2018 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule “B”.

Heritage Council of New South Wales

SCHEDULE “A”

The item known as the Central Park, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lot 16 DP 1048143 in Parish of Armidale, County of Sandon shown on the plan catalogued HC 3198 in the office of the Heritage Council of New South Wales.

[n2018-4301]

HERITAGE ACT 1977

ORDER UNDER SECTION 57(2) TO GRANT SITE SPECIFIC EXEMPTIONS FROM APPROVAL

Central Park

SHR No. 02019

I, the Minister for Heritage, 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, grant an exemption from section 57(1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule “C” by the owner of the land described in Schedule “B” on the item described in Schedule “A”.

The Hon Gabrielle Upton MP
Minister for Heritage

Dated at Sydney, 13 Day of December 2018

SCHEDULE “A”

The item known as the Central Park, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lot 16 DP 1048143 in Parish of Armidale, County of Sandon shown edged heavy black on the plan catalogued HC 3198 in the office of the Heritage Council of New South Wales.

SCHEDULE “C”

1. Existing approved development – All works and activities in accordance with a current and valid development consent in force at the date of gazettal for listing on the NSW State Heritage Register (SHR), including any Development Application approved at the time of gazettal on the SHR.
2. Any activities, work and uses identified as exempt in an endorsed Conservation Management Plan – Any activities, work, and uses identified as exempt in accordance with policy specified in a Conservation Management Plan endorsed under the *Heritage Act 1977*.
3. General maintenance and repair – Minor repair of any building, structure, furniture, fixture, artwork, monument, fountain, roadway, path, retaining wall or fence that will not materially affect heritage fabric or the heritage significance of the park as a whole or that such works do not entail new excavation including temporary relocation for conservation or protection, with restoration to original location within 18 months. Suppression of fire.

4. Management of living landscape – Removal of dangerous trees consequent upon the provision of a full report by a suitably qualified and experienced arborist (AQF 5) or botanist (AQF 7). The report must include a risk assessment; a health assessment; and the nomination of replacement trees, either of the same species or variety or a species or variety consistent with the general character and types of genera of plants as approved by Council’s Parks and Facilities Manager. The general maintenance of trees and the removal of trees the subject of a full report by a suitably qualified Horticulturalist (AQF3) or arborist (AQF 3) only in accordance with AS 4373 – 2007 as approved by Council’s Parks and Facilities Manager, all changes being recorded in the Central Park Tree Audit. Routine horticultural curation, including development, planting and management of displays of annuals and perennials within existing garden bed infrastructure where such works do not entail new excavation (i.e. where such plantings are in an existing trench or disturbed ground). Routine horticultural maintenance, including lawn mowing, cultivation and pruning and the repair of damage caused by erosion and the implementation of erosion control measures. Installation, maintenance and operation of the irrigation system as necessary to maintain adequate watering capability and coverage. The judicious and targeted use of registered herbicides, pesticides or fertiliser to ensure control of pests or weeds that may cause damage to the living landscape.
5. Maintenance of interpretive, information and directional signage – Maintenance and repair of existing interpretive signage and the installation of replacement interpretive information and directional signage within a location approved by Council’s Parks and Facilities Manager in accordance with a Signage Manual approved under the *Heritage Act 1977*.
6. Management of temporary events – Temporary installation of artworks, statues, monuments, fencing, facilities, crowd control barriers, lighting, signage and sound/public-address equipment for temporary exhibitions and/or events. These are to be erected, used and removed (along with necessary remediation) within a maximum period of 60 days per installation where such works do not entail new excavation. Such works, including the use of vehicles, are not to occur where there is a possibility of damaging or endangering significant fabric, including landscape elements, trees or archaeological features, or the obstruction of significant views. Temporary tree protection measures in accordance with Australian Standard AS 4970 – 2009 are to be installed as appropriate for the prevention of soil compaction and damage to trees and root zones.
7. Furniture and fixtures – Installation, relocation, removal and maintenance of park furniture and fixtures in accordance with a Council-adopted Plan of Management and a Council-adopted Conservation Study where the proposal will not materially affect heritage fabric and heritage significance, or where such works do not entail new excavation (i.e. where such works are in an existing trench or disturbed ground).
8. Maintenance of services and utilities – Maintenance and repair of services and public utilities, including communications infrastructure, gas, electricity, water supply, waste disposal, sewerage, irrigation and drainage where such works do not entail new excavation. Upgrading of services and public utilities where such will not entail new excavation (i.e. where such works are in an existing trench or disturbed ground).
9. Maintenance of road and pedestrian infrastructure – Servicing, maintenance and operation of roadways, kerbs and gutters, gates, drains, street signs and street lights, and footpaths and other street furniture, where such works do not entail new excavation (i.e. where such works are in an existing trench or disturbed ground).
10. Emergency management and responses – Any emergency management and response activities which require immediate and urgent action, including any works required to ensure public safety. Also, crime prevention works in response to incidents and performed in consultation with police. This excludes permanent structures, but includes temporary structures (of up to four weeks duration, including removal and necessary remediation) which do not involve fixing to fabric identified as being of exceptional, high or moderate significance in a Conservation Management Plan endorsed under the *Heritage Act 1977*.

[n2018-4302]

Primary Industries Notices

FISHERIES MANAGEMENT ACT 1994

Notice of TAC Determination – Total Allowable Catch for Red Sea Urchin

I, NIALL MARK BLAIR, MLC, Minister for Primary Industries, pursuant to section 40H of the *Fisheries Management Act 1994* (“the Act”) give notice that on 28 November 2018 the Total Allowable Fishing Committee determined, pursuant to section 40D of the Act and clause 162 of the *Fisheries Management (General) Regulation 2010*, that the total allowable catch for red sea urchin for the fishing period 1 January 2019 to 31 December 2019 (both dates inclusive) is 60 tonnes.

Dated this 16th day of December 2018

NIALL MARK BLAIR, MLC
Minister for Primary Industries

[n2018-4303]

Other Government Notices

PROFESSIONAL STANDARDS ACT 1994

Notification pursuant to section 13

Pursuant to section 13 of the *Professional Standards Act 1994*, I authorise the publication of The Australian Computer Society Professional Standards Scheme. The scheme will commence on 1 January 2019.

MATT KEAN, MP
Minister for Innovation and Better Regulation

[n2018-4304]

THE AUSTRALIAN COMPUTER SOCIETY PROFESSIONAL STANDARDS SCHEME

Professional Standards Act 1994 (NSW)

PREAMBLE

- A. The Australian Computer Society Inc (ACS) is an occupational association.
- B. The ACS has made an application to the Professional Standards Council, appointed under the *Professional Standards Act 1994* (NSW) (the Act), for the approval of a scheme under the Act as set out in this document.
- C. The scheme is prepared by the ACS for the purposes of limiting occupational liability to the extent to which such liability may be limited under the Act.
- D. The scheme propounded by the ACS is to apply to all Certified Professional Members of the ACS.
- E. The ACS has furnished the Council with a detailed list of the risk management strategies intended to be implemented in respect of its members and the means by which those strategies are intended to be implemented.
- F. The scheme is intended to commence in New South Wales on 1 January 2019 and remain in force for five (5) years from its commencement unless, prior to that time, it is revoked, its operation ceases, or it is extended pursuant to the applicable legislation of the relevant jurisdiction.
- G. Unless otherwise defined in this scheme, terms used in the scheme have the meaning given in the Act.
- H. The scheme is intended to apply in all states and territories of Australia.

THE AUSTRALIAN COMPUTER SOCIETY PROFESSIONAL STANDARDS SCHEME

1 Occupational association

- 1.1 The Australian Computer Society Professional Standards Scheme (the scheme) is a scheme under the Act prepared by the Australian Computer Society Inc (ACS) whose national office address is Tower One, International Towers, 100 Barangaroo Ave, Sydney, NSW 2000.

2 Persons to Whom the Scheme Applies

- 2.1 The scheme will apply to ACS members who are Certified Professional Members. A Certified Professional Member is defined as a member of ACS with a current 'Certified Professional' certification from ACS. A list of Members participating in the ACS Professional Standards Scheme will be published on the ACS web site.
- 2.2 A person referred to in clause 2.1 may, on application, be exempted from participation in the scheme by the ACS with effect from the date specified by the ACS.

3 Jurisdiction

- 3.1 The scheme applies in New South Wales in accordance with the Act.
- 3.2 In addition to New South Wales, the scheme is intended to operate in the Australian Capital Territory, the Northern Territory, Queensland, South Australia, Tasmania, Victoria, and Western Australia, in accordance with the professional standards legislation of those states and territories.

4 Limitation of liability

- 4.1 This scheme only affects the liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding \$2,000,000.
- 4.2 This scheme limits the occupational liability in respect of a cause of action founded on an act or omission occurring during the period when the scheme was in force of any person to whom the scheme applied at the time the act or omission occurred.

- 4.3 If a person, who was at the time of the act or omission giving rise to occupational liability, a person to whom the scheme applied and against whom a proceeding relating to occupational liability is brought, is able to satisfy the court that such person has the benefit of an insurance policy:
- (a) of a kind which complies with the standards determined by the ACS;
 - (b) insuring such person against that occupational liability; and
 - (c) under which the amount payable in respect of that occupational liability is not less than the monetary ceiling specified in this scheme,
- that person is not liable in damages in relation to that cause of action above the monetary ceiling specified in this scheme.
- 4.4 The monetary ceiling is \$2.0 million.
- 4.5 Clause 4.3 only affects liability for damages arising from a single cause of action to the extent to which the liability results in damages exceeding the amount of damages specified in clause 4.1.
- 4.6 Notwithstanding anything to the contrary contained in this scheme if, in particular circumstances giving rise to occupational liability, the liability of any person who is subject to this scheme is capped both by this scheme and also by any other scheme under professional standards legislation (whether of this jurisdiction or under the corresponding law of any other Australian state or territory) and, if the amount of such caps should differ, then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.

5 Discretionary authority

- 5.1 This scheme confers on the ACS a discretionary authority to specify, on application by a person to whom the scheme applies, in relation to that person, a higher maximum amount of liability not exceeding \$10 million, in relation to that person either in all cases or in any specified case or class of case.

6 Duration

- 6.1 This scheme will commence in New South Wales, the Northern Territory, Tasmania, Western Australia, Victoria and Queensland on 1 January 2019.
- 6.2 In the Australian Capital Territory and in South Australia, the scheme will commence:
- (a) on the date provided for in the Minister's notice in relation to the scheme, if a date is provided; or
 - (b) on the first day two months after the day on which notice was given, in any other case.
- 6.3 This scheme will be in force in New South Wales for five years from the date of commencement in that jurisdiction.
- 6.4 For any other jurisdiction, the scheme will be in force for:
- (a) 5 years from the date of commencement in that jurisdiction; or
 - (b) 5 years from the date of commencement in New South Wales;
- whichever period ends first.
- 6.5 Clauses 6.3 and 6.4 are subject to the provisions of each jurisdiction applicable to the revocation, extension or cessation of schemes.

[n2018-4305]