



New South Wales

# Threatened Species Conservation (Biodiversity Banking) Amendment Regulation 2008

under the

Threatened Species Conservation Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Threatened Species Conservation Act 1995*.

CARMEL TEBBUTT, M.P.,  
Minister for Climate Change and the Environment

## Explanatory note

Clause 4 (1) of the *Threatened Species Conservation (Biodiversity Banking) Regulation 2008* deals with the biobanking assessment methodology for the creation of biodiversity credits in respect of land with certain specified existing conservation obligations. However, clause 4 (2) of that Regulation provides (as a transitional measure) that clause 4 (1) does not apply to the following conservation obligations:

- (a) a restriction on use or public positive covenant under Part 4A of the *Crown Lands Act 1989* that is imposed in connection with an application to purchase land that is duly made by a lease holder in respect of that land before 1 January 2009,
- (b) a conservation agreement entered into under the *National Parks and Wildlife Act 1974* as a result of a proposal made by the landholder to the Minister administering that Act before 1 January 2009,
- (c) a trust agreement entered into under the *Nature Conservation Trust Act 2001* as a result of a proposal made by the landholder to the Nature Conservation Trust of New South Wales before 1 January 2009.

The object of this Regulation is to amend *Threatened Species Conservation (Biodiversity Banking) Regulation 2008* to extend the transitional period in relation to those conservation obligations to 10 March 2009.

This Regulation is made under the *Threatened Species Conservation Act 1995*, including sections 127B (Biobanking assessment methodology) and 150 (the general regulation-making power).

**2008 No 617**

Threatened Species Conservation (Biodiversity Banking) Amendment  
Clause 1 Regulation 2008

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**Threatened Species Conservation (Biodiversity  
Banking) Amendment Regulation 2008**

under the

Threatened Species Conservation Act 1995

**1 Name of Regulation**

This Regulation is the *Threatened Species Conservation (Biodiversity Banking) Amendment Regulation 2008*.

**2 Amendment of Threatened Species Conservation (Biodiversity Banking) Regulation 2008**

The *Threatened Species Conservation (Biodiversity Banking) Regulation 2008* is amended by omitting “1 January 2009” from clause 4 (2) (a), (b) and (c) wherever occurring and by inserting instead “10 March 2009”.

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BY AUTHORITY