

## Removing Places from the Commonwealth Heritage List 2018

I, Josh Frydenberg, Minister for the Environment and Energy, have become aware that the following places included in the Commonwealth Heritage List (by instrument published in the *Gazette* identified below) are no longer in a Commonwealth area.

<b>Place</b>	<b>State/Territory</b>	<b>Date of determination</b>	<b>Gazette</b>
Defence National Storage and Distribution Centre	NSW	22/06/2004	Gazette P5, 15/07/2004
Pontville Small Arms Range Grassland Site	TAS	22/06/2004	Gazette P5, 15/07/2004
Blowfly Insectary Numbers 1 and 2	ACT	22/06/2004	Gazette P5, 15/07/2004
Canterbury Post Office	VIC	24/10/2011	Gazette S174, 08/11/2011
ABC Regional Radio Studio, Wagin	WA	15/11/2011	Gazette S179, 17/11/2011
Anson Bay Reserve (2003 Boundary)	EXT	22/06/2004	Gazette P5, 15/07/2004
Ball Bay Reserve	EXT	22/06/2004	Gazette P5, 15/07/2004
Bumbora Reserve	EXT	22/06/2004	Gazette P5, 15/07/2004
Hundred Acres Reserve	EXT	22/06/2004	Gazette P5, 15/07/2004
Point Ross Reserve	EXT	22/06/2004	Gazette P5, 15/07/2004
Two Chimneys Reserve & Escarpment	EXT	22/06/2004	Gazette P5, 15/07/2004

Accordingly, I remove the places (described in [Schedule 1](#)) from the Commonwealth Heritage List in accordance with section 341L(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999*.

A statement of reasons for the removal is attached.

Dated 21/6/2018

Josh Frydenberg  
Minister for the Environment and Energy

**STATE / TERRITORY**

Local Government

Name

Location / Boundary

**NEW SOUTH WALES**

Liverpool City

Defence National Storage and Distribution Centre

About 83ha, at Moorebank, being an area bounded by a line commencing at the intersection of Moorebank Avenue with an unnamed road at approximate AMG point 307820mE 6240100mN, then easterly and northerly via the unnamed road to its intersection with Anzac Road and Greenhills Avenue, then westerly via Anzac Road to its intersection with Moorebank Avenue, then southerly via Moorebank Avenue to the point of commencement.

**TASMANIA**

Brighton Municipality

Pontville Small Arms Range Grassland Site

About 450ha, 1km north east of Pontville, comprising an area bounded by a line commencing at the intersection of Rifle Range Road with the boundary of Land Parcel 0050 at approximate AMG point 22227473, then following the line of the road and its alignment to the top of a hill at approximate AMG point 23627553, then directly to the intersection of Land Parcel 0050 boundary with AMG easting 523300mE (approximate AMG point 23307615), then north easterly, south easterly, south westerly and north westerly via the boundary of Land Parcel 0050 to the point of commencement.

**AUSTRALIAN CAPITAL TERRITORY**

Acton

Blowfly Insectary Numbers 1 and 2, Silo Rd

Silo Rd, Acton

**VICTORIA**

Boroondara City

Canterbury Post Office

143-147 Maling Road, Canterbury, Victoria comprising the whole of Lot 1 TP81349.

**WESTERN AUSTRALIA**

Wagin Shire

ABC Regional Radio Studio

58 Tudhoe Street, corner Bank Place, Wagin, comprising the whole of Lot 26 on Plan 341.

**NORFOLK ISLAND**

Norfolk Island Territory

Anson Bay Reserve (2003 boundary)

Anson Bay Rd, Burnt Pine, EXT, Australia. About 5.50ha, 4km north-west of Burnt Pine.

Ball Bay Reserve

Stockyard Rd, Kingston, EXT, Australia. About 29ha, 2.5km north-east of Kingston.

### Bumbora Reserve

Bumbora Rd, Longridge, EXT, Australia. About 5.5ha, Bumbora Road, Longridge, comprising Bumbora Reserve, with the seaward boundary extending to the HWM.

### Hundred Acres Reserve

New Farm Rd, Longridge, EXT, Australia. About 22ha, 1.7km south-west of Longridge, comprising the whole of the Hundred Acres Reserve with boundaries as shown on map, Norfolk Island, 1:4800, Department of the Interior, sheets 3 and 5 under the name of Rocky Point Reserve.

### Point Ross Reserve

Rocky Point Rd, Longridge, EXT, Australia. About 14ha, off Rocky Point Road, 1.5km south of Longridge, comprising the whole of the Crystal Pool Reserve with boundaries as shown on map, Norfolk Island, 1:4800, Department of the Interior, 1968, sheet 5, being Block 96c. Includes the adjacent escarpment above high water level.

### Two Chimneys Reserve & Escarpment

Two Chimneys Rd, Middlegate, EXT, Australia. About 14ha, 3km east of Middlegate, comprising the whole of the Two Chimneys Reserve with boundaries as shown on map, Norfolk Island, 1:4800, Department of the Interior, 1968, sheet 4 and adjacent escarpment down to high water level.

## **STATEMENT OF REASONS FOR THE REMOVAL OF PLACES FROM THE COMMONWEALTH HERITAGE LIST UNDER SECTION 341L(1)(a) OF THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999**

1. I, Josh Frydenberg, Minister for the Environment and Energy, provide this statement of reasons for the removal of the following places from the Commonwealth Heritage List under section 341L(1)(a) of the *Environment Protection and Biodiversity Conservation Act 1999* (the Act):
  - Defence National Storage and Distribution Centre, NSW;
  - Pontville Small Arms Range Grassland Site, TAS;
  - Canterbury Post Office, VIC;
  - Blowfly Insectary Number 1 and Number 2, Acton ACT; and
  - Radio Station – 58 Tudhoe St Wagin, WA.
  - Anson Bay Reserve (2003 boundary), Anson Bay Rd, Burnt Pine, EXT
  - Ball Bay Reserve, Stockyard Rd, Kingston, EXT
  - Bumbora Reserve, Bumbora Rd, Longridge, EXT
  - Hundred Acres Reserve, New Farm Rd, Longridge, EXT
  - Point Ross Reserve, Rocky Point Rd, Longridge, EXT
  - Two Chimneys Reserve & Escarpment, Two Chimneys Rd, Middlegate, EXT

### **LEGISLATION**

2. Section 341L(1)(a) of the Act provides that I must remove all or part of a place from the Commonwealth Heritage List as soon as practicable after I become aware that the place or part thereof is no longer in a Commonwealth area.
3. Section 525 of the Act provides that a “Commonwealth area” includes land owned or leased by the Commonwealth or a Commonwealth agency, and land in a Commonwealth reserve. A place or part of a place can only be removed from the Commonwealth Heritage List by an instrument published in the *Gazette* which includes a statement of reasons for the removal (section 341L(4)).

### **BACKGROUND**

4. The Defence National Storage and Distribution Centre, NSW, and the Pontville Small Arms Range Grassland Site, TAS, were both included in the Commonwealth Heritage List in 2004. At the time of their inclusion in the Commonwealth Heritage List these places were Commonwealth owned and controlled by the Department of Defence.
5. The Canterbury Post Office, VIC was included in the Commonwealth Heritage List by Gazette instrument in 2011. At the time of its inclusion in the Commonwealth Heritage List this place was Commonwealth owned and controlled by the Australian Postal Corporation.
6. The Blowfly Insectary Number 1 and Number 2, ACT was included in the Commonwealth Heritage List by Gazette instrument in 2004. At the time of its inclusion in the Commonwealth Heritage List this place was Commonwealth owned by the Australian National University.
7. The ABC Regional Radio Studio in Wagin, WA was included in the Commonwealth Heritage List by Gazette instrument in 2011. At the time of its inclusion in the Commonwealth Heritage List this place was Commonwealth owned by the Australian Broadcasting Corporation.
8. The Anson Bay Reserve (2003 Boundary), Ball Bay Reserve, Bumbora Reserve, Hundred Acres Reserve, Point Ross Reserve and the Two Chimneys Reserve & Escarpment were included in the Commonwealth Heritage list by Gazette Instrument in 2004. At the time of their inclusion in the Commonwealth Heritage List these places were Commonwealth owned and controlled by the Department of Infrastructure, Regional Development and Cities.

## EVIDENCE AND MATERIAL BEFORE ME

9. I considered advice:
- a. from the Department of Defence (Defence) provided to my Department on 15 December 2016. Defence advised that it had transferred ownership and control of Defence National Storage and Distribution Centre, and the Pontville Small Arms Range Grassland Site, and no longer owned or controlled those places;
  - b. from Warlows Legal provided to my Department on 14 September 2017. Warlows Legal advised that ownership and control of the Canterbury Post Office had been transferred from the Australian Postal Corporation to its client, Gitel Investments Proprietary Limited;
  - c. from my Department that approved the demolition of the Blowfly Insectary Number 1 and Number 2 (EPBC 2011/5895) and from CSIRO that the Insectary Number 1 and Number 2 had been demolished; and
  - d. from the Australian Broadcasting Corporation, dated 30 March 2016 that the ABC Regional Radio Studio at 58 Tudhoe St Wagin (identified in the listing incorrectly as 56 Tudhoe St, Wagin) is no longer owned or leased by the Commonwealth.
  - e. from the Department of Infrastructure, Regional Development and Cities (DIRDC) provided to my Department on 21 May 2018. DIRDC advised that the ownership and control of the Anson Bay Reserve (2003 Boundary), Ball Bay Reserve, Bumbora Reserve, Hundred Acres Reserve, Point Ross Reserve and the Two Chimneys Reserve & Escarpment were transferred to the Norfolk Island Regional Council by way of a Norfolk Island Land Transfer Ordinance and are no longer owned or leased by the Commonwealth.

## FINDINGS ON MATERIAL QUESTIONS OF FACT

10. Noting the advice above, I find that each of the places listed in paragraph 1 is no longer owned or leased by the Commonwealth.
11. As these places are no longer in Commonwealth control they are not in a "Commonwealth area" as defined by the Act.

## Reason for Decision

12. Accordingly, pursuant to section 341L(1)(a) of the Act, as I am aware that the places listed in paragraph 1 are no longer in a Commonwealth area, I remove those places from the Commonwealth Heritage List.

JOSH FRYDENBERG

.....  
MINISTER FOR THE ENVIRONMENT AND ENERGY

Note: The name of this instrument was amended on registration as the instrument as lodged did not have a unique name (see subsection 10(2), *Legislation Rule 2016*).