

# *Government Gazette*

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# PARLIAMENT

## ACTS OF PARLIAMENT ASSENTED TO

Legislative Assembly Office, Sydney 15 September 2015

It is hereby notified, for general information, that His 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 22 — An Act to amend the *Health Services Act 1997* to make further provision in relation to the provision of ambulance services, including supported non-emergency transport; and for related purposes. [**Health Services Amendment (Ambulance Services) Bill**]

Act No 23 — An Act to amend the *Real Property Act 1900* to make provision for the alignment of paper and electronic conveyancing practices and to facilitate the adoption of electronic conveyancing practices; and to make consequential amendments to certain other legislation. [**Real Property Amendment (Electronic Conveyancing) Bill**]

RONDA MILLER  
Clerk of the Legislative Assembly

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## ACT OF PARLIAMENT ASSENTED TO

Legislative Council Office Sydney 22 September 2015

It is hereby notified, for general information, that His 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 24, 2015 — An Act to provide for the prevention, elimination, minimisation and management of biosecurity risks; and for other purposes. [**Biosecurity Act 2015**]

DAVID BLUNT  
Clerk of the Parliaments

# GOVERNMENT NOTICES

## Miscellaneous Instruments



### LOCAL COURT PRACTICE NOTE NO. 1 OF 2015

ISSUED: 25 September 2015

COMMENCES: 1 October 2015

### Local Court Civil General Division – Online Court Protocol

#### Part 1 Commencement and Application of Practice Note

- 1.1 This Practice Note commences on 1 October 2015.
- 1.2 This Practice Note is issued for the purposes of a pilot program for Local Court (Civil Jurisdiction) General Division matters listed for Defence Callover at the John Maddison Tower, Sydney. OLC is available for Defence Callover matters where the first appearance is on or after 1 October 2015. This Practice Note is to be read in conjunction with Local Court Practice Note Civ 1. OLC is not available to self-represented litigants or non-parties.

#### Part 2 Definitions

2.1 In this Practice Note:

**'CPA'** means *Civil Procedure Act 2005*.

**'ETA'** means *Electronic Transactions Act 2000*.

**'UCPR'** means the *Uniform Procedure Rules 2005*.

**'registered user'** means a person who is a registered user of the ORW.

**'delegate'** means managing lawyers or employed support staff who are registered as delegates by the practitioner on the record via the ORW.

**'ORW'** means Online Registry Website.

**'OLC'** means Online Court.

**'callover'** means Defence Callover in the Local Court (Civil Jurisdiction) General Division.

**'OCR'** means Online Court Record.

**'practitioner'** means legal practitioner.

### Part 3 Purpose

- 3.1 The object of this Practice Note is to minimise the cost and inconvenience of in-person court appearances by practitioners by enabling them to make online requests without the need to wait for a callover date.

### Part 4 Conduct in an Online Court

- 4.1 The OLC is a virtual courtroom, authorised by Schedule 1 to the *Electronic Transaction (ECM Courts) Order 2005*. It may only be used for issues requiring consideration and determination by a registrar.
- 4.2 OLC is not to be used for communications solely between the practitioners representing the parties.
- 4.3 Practitioners/Delegates should conduct themselves and use language in the OLC as they would during an in-person court appearance.
- 4.4 A registrar may, from time to time, give instructions as to:
- a) the acceptable length of reasons for request and messages in an OLC; and
  - b) the time and date by which responses to requests and messages must be made.
- 4.5 If a request/consent or counter request is submitted to the OLC by a delegate for a practitioner, the practitioner on the record is taken to have affirmed to the Court that he or she has actual knowledge of the contents of the request/consent or counter request.
- 4.6 Undertakings given in an OLC by a practitioner or a delegate are as binding as if the undertaking were given in an in-person courtroom appearance.
- 4.7 Practitioners or delegates will be notified by email when they have been sent a request/consent or counter request.

### Part 5 Initiating an Online Court

- 5.1 Registered users of the ORW who are also practitioners on the record for cases in the General Division Defence Callover list for John Maddison Tower, may choose via the ORW to have those cases dealt with in the OLC.
- 5.2 Designated managing practitioners or employed support staff registered as delegates by the practitioner on the record via the ORW may also choose cases to be dealt with in the OLC on behalf of the practitioner.
- 5.3 When a request to participate in the OLC is made, an automatic email will be sent to the practitioner on the record for the opposing party, requesting agreement for the selected case to be dealt with in OLC.
- 5.4 Cases can only proceed to be dealt with in the OLC when practitioners on the record (or their delegates) for ALL parties have agreed for the matter to proceed online.

## Part 6 What may be dealt with in Online Court

- 6.1 OLC may be used for interlocutory or procedural matters that may arise during a General Division Defence Callover. Matters in the OLC will be conducted in accordance with Local Court Practice Note Civ 1 (and s 71 of CPA).
- 6.2 In the OLC, practitioners (or delegates) may request the following:
- a) Adjournment of the callover;
  - b) Interlocutory orders pursuant to Part 6 of CPA;
  - c) Allocation of trial date and review date; and
  - d) Referral of matters to directions hearing before a magistrate if parties are seeking leave to call expert witnesses.

## Part 7 How will matters be dealt with in Online Court

- 7.1 All online requests (or counter requests) must be supported with reasons for the request. Each request submitted will be automatically forwarded to the practitioners for the opposing party(s) who may then consent or counter the initial request.

### **A Initial request**

- 7.2 In the OLC, the practitioner or delegate for any party may make an online request for interlocutory orders at any time up to 36 hours prior to the date and time the matter is listed for in-person callover. The deadline for submitting a request in OLC will be 9.30pm on Monday. It will not be possible to make a request after this time and the matter will proceed to in-person callover as per its original listing.

### **B Counter request or consent**

- 7.3 Counter requests will be automatically forwarded to the practitioners for the opposing party(s) who may then consent or counter the request. All counter requests must be supported with reasons for the counter request.
- 7.4 A counter request or consent to a request should be responded to by the practitioner or delegate of the opposing party(s) no less than 24 hours before the date and time the matter is listed for in-person callover. The deadline for submitting a consent or counter request will be 9.30 am Tuesday.
- 7.5 An automatic email will be forwarded to the opposing practitioner or their delegate each time a consent or counter request is submitted.

## Part 8 Registrar orders

- 8.1 When the registrar makes an order in the OLC an automatic email will be forwarded to all practitioners (or delegates).
- 8.2 If a counter request or consent is not received by the required time, the registrar may determine whether the parties are required to attend the in-person callover and make orders accordingly.

## **Part 9 Messaging**

- 9.1 At any time during the OLC any practitioner/delegate may send a message to the registrar regarding any case management issues between the parties. In addition, the registrar may also choose to send a message to the parties at any time in OLC if it appears there are case management issues requiring resolution.
- 9.2 Messages sent by the practitioners/delegates or the registrar will be visible to all practitioners/delegates for opposing parties.

## **Part 10 Costs**

- 10.1 On occasions the registrar may determine that an in-person callover appearance is required because of a lack of response to a request/counter request made in the OLC.
- 10.2 In this event, the registrar may, at the in-person callover, consider any application for costs from parties to cover their costs of appearance at the in-person callover and/or costs of preparation of the OLC request.
- 10.3 In determining the costs application the registrar may take into account any failure of a practitioner to respond to a request (s 56(5) CPA). Whether the in-person court appearance could have been avoided if a practitioner had responded to an OLC request and whether there is a reasonable explanation for not responding are matters to be taken into account on the question of costs.

## **Part 11 Consent orders**

- 11.1 As far as practicable, the practitioners representing the parties will have communicated between themselves and come to an agreed position as to the orders sought prior to submitting a request in the OLC. The opposing practitioners/delegates will then be in a position to quickly deal with the request by consenting to what is proposed.
- 11.2 Any terms agreed between the parties should be included as orders sought in the request.

## **Part 12 Terminating an Online Court request**

- 12.1 An OLC request may be terminated at any time by the registrar and the proceedings listed for resolution at an in-person court appearance before a registrar or a directions hearing before a magistrate.
- 12.2 The termination of an OLC request will not prevent the lodgement of a fresh request by practitioners or their delegates.

## **Part 13 Documents**

- 13.1 Documents can be attached as part of a request or attached to a message. Any attached documents will be viewable by the opposing practitioner/delegate and the registrar.
- 13.2 Where practitioners/delegates require documents to be formally filed, they should do so via the ORW and not via the OLC.

**Part 14 Obtaining copy of Online Court Record**

- 14.1 All activity in the OLC including requests, consents, counter requests and messages will be recorded in the OCR and will be visible to all practitioners/delegates and the registrar.
- 14.2 Any person may make a request to the registrar for a printed copy of the OCR. The printed copy of the OCR may be provided, subject to any suppression order or other restrictions that might apply to the proceedings.

Judge Graeme Henson  
**Chief Magistrate**

**NATIONAL PARKS AND WILDLIFE ACT 1974**

NOTICE OF RESERVATION OF A NATIONAL PARK

I, General The Honourable David Hurley AC DSC (Ret'd), Governor of the State of New South Wales, with the advice of the Executive Council, reserve the lands described in Schedule 1 below as part of **Culgoa National Park**, under the provisions of section 30A (1) of the *National Parks and Wildlife Act 1974*.

Signed and Sealed at Sydney this 9th day of September 2015.

DAVID HURLEY  
Governor,

By His Excellency's Command,

MARK SPEAKMAN SC, MP  
Minister for the Environment.

GOD SAVE THE QUEEN

*Western Division LGA – Brewarrina*

**Schedule 1**

County Culgoa, Parish Tawaggan, 2286 hectares being Lot 4469 DP 767516.  
Papers OEH/EF14/12056.

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**NATIONAL PARKS AND WILDLIFE ACT 1974**

NOTICE OF RESERVATION OF A NATIONAL PARK

I, General The Honourable David Hurley AC DSC (Ret'd), 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 **Tarlo River National Park**, under the provisions of section 30A (1) of the *National Parks and Wildlife Act 1974*.

Signed and Sealed at Sydney this 9th day of September 2015.

DAVID HURLEY  
Governor,

By His Excellency's Command,

MARK SPEAKMAN SC, MP  
Minister for the Environment.

GOD SAVE THE QUEEN

**Schedule**

*Land District – Goulburn LGA – Upper Lachlan*

County Argyle, Parish Tarlo, about 462.3 hectares, being Lots 3, 178, 179 and 199 DP 750048, the Crown roads within Lots 3, 179 and 199 DP 750048 and the bed of Tarlo River separating Lot 199 DP 750048 from Lot 164 DP 750009.  
Papers OEH/EF14/7197.

## Appointments

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### **BUILDING AND CONSTRUCTION INDUSTRY LONG SERVICE PAYMENTS ACT 1986**

Notice of Appointment of Members

Building and Construction Industry Long Service  
Payments Committee

Notice is hereby given that the following persons have been appointed, pursuant to section 8 (2) of the *Building and Construction Industry Long Service Payments Act 1986*, as members of the Building and Construction Industry Long Service Payments Committee.

#### **Members**

Ms Keryn McWHINNEY  
Mr Paul FARROW  
Ms Robyn FORTESCUE  
Mr Brian SEIDLER  
Ms Beverly GLOVER  
Ms Paula THOMSON  
Mr David BARE  
Ms Therese LAURIOLA  
Mr David CASTLEDINE  
Ms Melissa ADLER

The appointments are for a period of 12 months commencing on 11 September 2015.

GLADYS BEREJIKLIAN, MP  
Minister for Industrial Relations

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### **CONTRACT CLEANING INDUSTRY (PORTABLE LONG SERVICE LEAVE SCHEME) ACT 2010**

Notice of Appointment of Members

Contract Cleaning Industry Long Service Leave  
Committee

Notice is hereby given that the following persons have been appointed, pursuant to section 9 (2) and Schedule 1, Part 2 of the *Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010*, as members of the Contract Cleaning Industry Long Service Leave Committee.

#### **Members**

Ms Emma MAIDEN  
Ms Georgia POTTER-BUTLER  
Mr Mark BOYD  
Ms Mel GATFIELD  
Mr Ravindra NAIDOO  
Ms Barbara CONNOLLY  
Mr John LAWS  
Ms Natalie STEPHENS

The appointments are for a period of 12 months commencing on 11 September 2015.

GLADYS BEREJIKLIAN, MP  
Minister for Industrial Relations

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### **CONSTITUTION ACT 1902**

Ministerial Arrangements for the Minister for Family and  
Community Services, and Minister for Social Housing

Pursuant to section 36 of the *Constitution Act 1902*, His Excellency the Governor, with the advice of the Executive Council, has authorised the Honourable J G Ajaka MLC to act for and on behalf of the Minister for Family and Community Services and Minister for Social Housing for the period from 25 September to 8 October 2015, inclusive.

Dated 23 September 2015

MIKE BAIRD, MP  
Premier

## Planning and Environment Notices

### CONTAMINATED LAND MANAGEMENT ACT 1997

I, Erwin Benker, A/Manager Contaminated Sites, in accordance with section 105 (2) (c) of the *Contaminated Land Management Act 1997*, publish the document “Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (September 2015)”. These Guidelines take effect upon publication in the Government Gazette. These Guidelines revoke the document entitled “Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997” published by the NSW Environment Protection Authority in the *Government Gazette* on 3 July 2015.

ERWIN BENKER  
A/Manager Contaminated Sites



### **Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997***

[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

### Limitations

These guidelines should be used in conjunction with other relevant guidelines made or approved by the NSW Environment Protection Authority under section 105 of the *Contaminated Land Management Act 1997* when assessing and managing contaminated land.

These guidelines do not include occupational health and safety procedures and WorkCover NSW should be consulted on these. Appropriate action must be taken to manage any potential hazard and adequately protect the health of any workers on, or occupiers of, the site.

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59–61 Goulburn Street, Sydney  
PO Box A290  
Sydney South NSW 1232

### Report pollution and environmental incidents

Environment Line: 131 555 (NSW only) or [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

See also [www.epa.nsw.gov.au/pollution](http://www.epa.nsw.gov.au/pollution)

Phone: +61 2 9995 5000 (switchboard)

Phone: 131 555 (NSW only - environment information and publication requests)

Fax: +61 2 9995 5999

TTY users: phone 133 677, then ask for 131 555

Speak and listen users: phone 1300 555 727, then ask for 131 555

Email: [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au)

Website: [www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

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Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

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## Abbreviations

CLM Act	<i>Contaminated Land Management Act 1997</i>
DEC	Department of Environment and Conservation (now the EPA and OEH)
EMP	environmental management plan
EPA	Environment Protection Authority
NEPC	National Environment Protection Council
OEH	Office of Environment and Heritage
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PSH	phase separated hydrocarbons
WH&S	work health and safety

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

## 1. Introduction

### 1.1 Background

Land contamination<sup>1</sup> has the potential to arise from a range of industrial and other activities. The impacts of some activities are only temporary, whereas others carry the risk of leaving an unwanted legacy. In some instances, particularly when the land use has involved hazardous substances, that legacy may be threatening to humans or the environment, or it may affect the current or future use of the land.

Not all contamination will affect the land in such a way that it cannot be used productively for industrial, commercial, agricultural, residential or other purposes. The Environment Protection Authority (EPA) must consider all factors that may contribute to the significance of contamination of land to determine whether regulation to protect humans or the environment is warranted.

The [Contaminated Land Management Act 1997](#) (CLM Act) establishes a legal framework that gives the EPA powers to require the assessment and remediation of sites where contamination is significant enough to warrant regulation. Where the EPA's intervention is not needed, the NSW planning and development framework will determine the appropriate use of sites in the future.

### 1.2 Contaminated Land Management Act 1997

The general objective of the CLM Act is to establish a process for investigating and, where appropriate, remediating land that the EPA has reason to believe is contaminated significantly enough to warrant regulation under the CLM Act.

The objects of the CLM Act are to:

- set out accountabilities for managing contamination if the EPA considers the contamination significant enough to require regulation
- set out the role of the EPA in the assessment of contamination and the supervision of the investigation, remediation and management of contaminated sites
- provide for the accreditation of site auditors of contaminated land to ensure appropriate standards of auditing in the management of contaminated land
- ensure that contaminated land is managed with regard to the principles of ecologically sustainable development.

The duty to report contamination to the EPA arises when the land is contaminated by a substance present at levels above those specified by these guidelines and where certain other factors are met. These guidelines provide details of the circumstances that can trigger the requirement to notify the EPA.

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<sup>1</sup> Contamination of land is defined in section 5 of the CLM Act as “the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.”

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

### 1.3 NSW contaminated land management framework

The contaminated land management framework in NSW consists of two tiers:

- The EPA uses its powers under the CLM Act to deal with sites where contamination is significant enough to warrant regulation – given the site’s current or approved use,<sup>2</sup> the contamination of these sites generally poses an unacceptable risk to human health or the environment and needs to be addressed.
- Local councils dealing with other contamination under the NSW planning and development framework, including [State Environmental Planning Policy No. 55 – Remediation of Land](#) and [Managing Land Contamination – Planning Guidelines](#). These types of sites, although contaminated, would generally not pose an unacceptable risk under their current or approved use(s). The planning and development process will determine what remediation is needed to make the land suitable for a different use.

### 1.4 About these guidelines

These guidelines are made under section 105 of the CLM Act. They provide information on two key aspects of the duty to report contamination under the CLM Act. Section 2 of the guidelines sets out the duty of landowners and those who have responsibility for contamination to report it to the EPA. It should be noted that the EPA has a duty to examine and respond to information it receives about actual or possible contamination of land from any party; this is not limited to the person responsible for the contamination.<sup>3</sup>

There are a range of considerations for anyone<sup>4</sup> who encounters land contamination and how they should proceed when the degree of contamination is uncertain. Section 3 outlines how the EPA assesses and determines whether contamination is significant enough to warrant regulation.

These guidelines revoke the July 2015 edition of the Contaminated Sites: Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997*.

Various other guidelines, which may be updated from time to time, are referred to throughout this document. Where a reference guideline that has been made by the EPA under section 105 of the CLM Act is updated, the relevant reference(s) in this document should be read as if they are part of the endorsed updated version. A reference in these guidelines to any other instrument (e.g. guidelines, standards) made under an Act should be read as a reference to that instrument.

These guidelines relate to the duty to report under the CLM Act only. It should be noted that there may also be reporting duties required by other legislation. For example, pollution incidents causing or threatening material harm to the environment are required to be reported under section 148 of the *Protection of the Environment Operations Act 1997*.

These guidelines take effect upon their publication in the *NSW Government Gazette*.

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<sup>2</sup> Approved use of land is defined under section 4(1) of the CLM Act as “a use to which the subject land may be put without approval or development consent under the *Environmental Planning and Assessment Act 1979*.”

<sup>3</sup> The person responsible for contamination of land is defined in section 6(1) of the CLM Act as: “the person that caused the contamination, the contamination occurred because an act or activity of the person resulted in the conversion of a substance to one that caused contamination, an owner or occupier of the land who knew or ought reasonably to have known that contamination would occur but failed to take reasonable steps to prevent contamination, and a person carrying out activities on land that generates or consumes the same substances as those that comprise the contamination unless the person establishes that they did not cause the contamination.”

<sup>4</sup> This may be an individual or a corporation.

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

## 2. Duty to report contamination

### 2.1 Duty to report

Under section 60 of the *Contaminated Land Management Act 1997* (CLM Act) the following people are required to notify the EPA as soon as practical after they become aware of the contamination:

- anyone whose activities have contaminated land<sup>5</sup>
- an owner of land that has been contaminated.<sup>6</sup>

A person is taken to be aware of the contamination if it is considered they should have reasonably been aware of the contamination.<sup>7</sup> Section 2.6 lists the factors that are taken into account in determining when a person should have reasonably been aware of the contamination, including their abilities and whether they could have sought advice.

Such a person is required to notify the EPA of contamination in the following circumstances:

- the level of the contaminant in, or on, soil is equal to or above a level of contamination set out in Schedule B1 of the [National Environment Protection \(Assessment of Site Contamination\) Measure 1999](#) (NEPC 2013) or other approved guideline value<sup>8</sup> with respect to a current or approved use of the land, and people have been, or foreseeably will be, exposed to the contaminant  
OR
- the contamination meets a criterion prescribed by the regulations<sup>9</sup>  
OR
- the contaminant or a by-product has entered, or will foreseeably enter, neighbouring land, the atmosphere, groundwater or surface water, and is above, or will foreseeably be above, a level of contamination set out in [National Environment Protection \(Assessment of Site Contamination\) Measure 1999](#) (NEPC 2013) or other approved guidelines and will foreseeably continue to remain equal to or above that level.<sup>10</sup>

Section 2.3 of these guidelines provides more information on the notification triggers and how they should be used in determining whether the contamination should be reported to the EPA. In addition, Section 2.5 clarifies situations where the duty to report is not intended and Section 2.6 presents some situations where the duty to report does arise.

Although the duty to report contamination applies to the person responsible for the contamination, anyone at any time can report suspected contamination to the EPA by calling Environment Line on 131 555.

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<sup>5</sup> Section 60(1) of the CLM Act.

<sup>6</sup> Section 60(2) of the CLM Act.

<sup>7</sup> Section 60(5) of the CLM Act.

<sup>8</sup> Guidelines are made or approved under section 105 of the CLM Act.

<sup>9</sup> At the time of publication of these guidelines, the Contaminated Land Management Regulation 2013 does not prescribe any criterion.

<sup>10</sup> Section 60(3) of the CLM Act.

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

## 2.2 Determining whether to report

To assess whether the contamination of a site should be reported, a review of the site's activities and history, and a site inspection to look for indicators of contamination, should be undertaken. There may also be a need for a further, more detailed investigation.

Figure 1 in Appendix 1 shows a decision process that can be used by a site owner or a person responsible for a site to assess whether to report under section 60 of the CLM Act. This is followed by a checklist for site owners or responsible persons when reporting contamination to the EPA.

### 2.2.1 Indicators of contamination

A review of the site's activities and history provides a starting point to assess whether current or past use(s) may have contributed to contamination of the site. This includes consideration of whether the site or adjacent sites may be associated with potentially contaminating activities;<sup>11</sup> complaints about pollution or illegal dumping of wastes, as well as whether there are gaps in, or doubts about, a site's history. This step is equivalent to 'stage 1' investigations consistent with the [Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites](#) (OEH 2011).

The person responsible for the contamination can undertake a review of the site's history and records, and conduct a site inspection to identify indicators of contamination. The person responsible may also use a suitably qualified and experienced environmental consultant to undertake this review.

An inspection of the site and its surrounds may provide physical indicators of contamination or harm. Examples of indicators of contamination are:

- case(s) of a biologically plausible illness or health impairment among people who have had exposure to a particular contaminated site
- the presence of chemicals on or in surface water or groundwater at the site (for example, abnormal colouration of the water, odours emanating from the water)
- visible signs of toxic responses to contaminants in flora and fauna (for example, unusual numbers of birds dying on or near the site, abnormal domestic animal or wildlife behaviour, dead vegetation within or adjacent to areas of otherwise normal growth)
- liquid or solid chemicals or chemical wastes found on or in the soil during site works
- unusual odours emanating from the soil
- the entry of chemicals into on-site or off-site service trenches
- the presence of discarded explosive materials on site
- the presence or the storage of bulk liquid dangerous goods on the site with potential for leakage or spillage
- the presence of illegal and/or uncontrolled landfills on site
- evidence of off-site migration of contaminants into adjacent or nearby environments (for example, migration to residential areas, creeks, rivers, wetlands, sediments or groundwater).

Note that this list is not exhaustive and there may be additional indicators that are relevant to some sites as well as other notification requirements where immediate risks are identified. For example, there is a duty to report pollution incidents under the POEO Act.

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<sup>11</sup> Potentially contaminating activities could include those industries and associated chemicals listed in Appendix A of the [Managing Land Contamination – Planning Guidelines](#).

Guidelines on the Duty to Report Contamination  
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In some cases the indicators themselves provide enough evidence to conclude that the contamination should be reported to the EPA. In those cases where the indicators suggest that contamination is present but there is uncertainty about reporting it to the EPA, further investigation outlined in Section 2.2.2 will be needed.

### 2.2.2 Further investigation of land

Where further investigation of the land is necessary to assess whether contamination should be reported to the EPA, a site investigation should be conducted to:

- describe past and present activities that potentially contaminated the land and the adjacent areas, including groundwater, surface water and sediments
- identify potential contamination types
- assess the site condition
- assess the nature, degree and extent of the contamination
- assess whether any harm has been or is being caused by the contamination
- assess the possible exposure routes, exposed populations and the nature of other risk(s) presented by the contamination.

This step is equivalent to 'stage 2' investigations consistent with the [Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites](#) (OEH 2011). A suitably qualified and experienced [environmental consultant](#) should be engaged to do the investigation.

The consultant should use the [Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites](#) (OEH 2011) as a basis for conducting the investigation and preparing a report. Other [guidelines made or approved under section 105 of the CLM Act](#) should also be considered, including the [National Environment Protection \(Assessment of Site Contamination\) Measure 1999](#) (NEPC 2013), which provides a national framework for consistency and practical guidance for the assessment of contaminated sites.

Important guidance related to site assessment includes:

- [Contaminated Sites: Guidelines for the NSW Site Auditor Scheme](#), 2nd edition (DEC 2006) and future revisions of the guidelines.
- [Sampling Design Guidelines](#) (EPA 1995)
- [Contaminated Sites: Guidelines for the Assessment and Management of Groundwater Contamination](#) (DEC 2007)
- [Technical Note: Investigation of Service Station Sites](#) (EPA 2014)
- [Managing asbestos in or on soil](#) (NSW Government 2014).

The investigation should conclude whether the contamination must be reported to the EPA based on consideration of the information on the notification triggers in Section 2.3 of these guidelines.

When uncertainties arise from information gathered during a site investigation, further detailed site investigations may be needed to obtain more information. Uncertainties or unquantified risks should not be used as reasons to delay reporting.

The person responsible may also elect to use a site auditor accredited under the CLM Act to independently review the work of a contaminated site consultant and resolve any uncertainties. Site auditors may be used in other circumstances at the discretion of those initiating a site investigation.

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## 2.3 Notification triggers

A landowner or person whose activities have contaminated land is required to notify the EPA that the land has been contaminated by a substance (a 'contaminant') that is present at levels specified in the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013) or other approved guidelines, and where certain other factors are met as described below.

See Sections 2.5 and 2.6.3 of these guidelines for situations that are not intended to be captured by the duty to report and examples where further assessment is not needed or where advice should be sought.

### 2.3.1 On-site soil contamination

For the purposes of section 60(3)(b) of the CLM Act, notification of contamination in, or on, soil on the land is required where:

- the 95 % upper confidence limit on the arithmetic average concentration of a contaminant in or on soil is equal to or above the Health Investigation Level and/or Health Screening Level for that contaminant for the current or approved use of the respective on-site land, as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

OR

- the concentration of a contaminant in an individual soil sample is equal to or more than 250% of the Health Investigation Level and/or Health Screening Level for that contaminant for the current or approved use of the respective on-site land, as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

- a person has been or foreseeably will be exposed to the contaminant or a by-product of the contaminant.

Further details on the concept of 'foreseeability' are provided in Section 2.3.7 of these guidelines.

### 2.3.2 Off-site soil contamination

For the purposes of section 60(3)(a) of the CLM Act, notification of contamination in, or on, soil on neighbouring land is required where:

- the 95% upper confidence limit on the arithmetic average concentration of a contaminant in or on soil is above the health investigation level and/or health screening level for that contaminant for the current or approved use of the respective off-site land, as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

OR

- the concentration of a contaminant in an individual soil sample is more than 250% of the health investigation level and/or health screening level for that contaminant for the current or approved use of the respective off-site land, as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

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- the concentration of the contaminant in or on the soil on the neighbouring land will foreseeably continue to remain above the specified concentration.<sup>12</sup>

Further details on foreseeable contamination of neighbouring land are provided in Section 2.3.3 and details on the concept of 'foreseeability' in Section 2.3.7 of these guidelines.

### 2.3.3 Foreseeable contamination of neighbouring land

For the purposes of section 60(3)(a) of the CLM Act, notification of foreseeable contamination of neighbouring land is required where:

- the contaminant will foreseeably enter neighbouring land

AND

- the concentration of the contaminant on the neighbouring land will foreseeably be above the health investigation level and/or health screening level for that contaminant for the current or approved use of the respective off-site land, as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

- the concentration of the contaminant on the neighbouring land will foreseeably continue to remain above the specified concentration.

### 2.3.4 Asbestos in, or on, soil

For the purposes of section 60(3)(b) of the CLM Act, notification of asbestos contamination is required where:

- friable asbestos<sup>13</sup> is present in or on soil on the land

AND

- the level of asbestos (% weight for weight) in an individual soil sample is equal to or above the health screening level of friable asbestos in soil (0.001%) specified in Section 4.8, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

- a person has been, or foreseeably will be, exposed to elevated levels<sup>14</sup> of asbestos fibres by breathing them into their lungs.

Further details on the concept of 'foreseeability' are provided in Section 2.3.7 of these guidelines.

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<sup>12</sup> For example, if chronic or ongoing risks are present on a neighbouring site due to the presence of the contaminating substance, notification would be required, but if a risk is no longer present (such as where contamination on neighbouring land has been removed), notification would not be required.

<sup>13</sup> Friable asbestos is usually in the form of loose asbestos that is not bound together. The most common forms of friable asbestos are thermal lagging used on steampipes and boilers, as fire protection, ceiling insulation and the like, and raw asbestos waste from asbestos products manufacturing. Friable asbestos can usually be broken up or crumbled using hand pressure to generate free fibres. If disturbed, friable asbestos has the potential to generate significant quantities of airborne fibres and because of this requires a high level of control.

<sup>14</sup> Elevated levels of airborne asbestos are concentrations at or above 0.01 fibres/mL determined using the membrane filter method in accordance with the [Guidance Note on the Membrane Filter Method for Estimating Airborne Asbestos Fibres 2nd Edition \[NOHSC:3003\(2005\)\]](#) (National Occupational Health and Safety Commission, 2005).

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For situations that are not intended to be captured by the duty to report, see Section 2.5 and example 8 in Section 2.6.3 of these guidelines. Bonded asbestos cement<sup>15</sup> (fibro) and naturally occurring asbestos<sup>16</sup> are not intended to be captured by these guidelines.

### 2.3.5 Groundwater or surface water

For the purposes of section 60(3)(a) of the CLM Act, notification of actual or foreseeable contamination of groundwater or surface water on the site is required where:

- the contaminant has entered or will foreseeably enter groundwater or surface water

AND

- the concentration of the contaminant in the groundwater or surface water is, or will foreseeably be, above the groundwater investigation level for that contaminant as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

- the concentration of the contaminant in the groundwater or surface water will foreseeably continue to remain above the specified concentration.

If separate-phase contamination of groundwater (i.e. immiscible organic liquid) is found, the EPA is required to be notified regardless of the concentration in the groundwater, unless the situation falls under one of the scenarios described in Section 2.6.3 of these guidelines.

Further details on the concept of 'foreseeability' are provided in Section 2.3.7 of these guidelines.

### 2.3.6 Vapour intrusion

In the case of risks associated with the vapour inhalation pathway (also known as vapour intrusion), notification of actual or foreseeable contamination is required for the purposes of sections 60(3)(a) and (b) of the CLM Act where:

- the concentration of a contaminant in an individual soil vapour sample from the land is equal to or above the interim soil vapour health investigation level for volatile organic chlorinated compounds for the current or approved use of the respective on-site or off-site land as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

OR

- the concentration of a contaminant in an individual soil sample from the land is equal to or above the soil health screening level for vapour intrusion for the current or approved use of the respective on-site or off-site land as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

OR

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<sup>15</sup> Bonded asbestos cement comprises bonded asbestos-containing material which is in sound condition (although possibly broken or fragmented), and is restricted to material that cannot pass a 7 mm x 7 mm sieve. This sieve size is selected as it approximates the thickness of common asbestos cement sheeting and for fragments to be smaller than this would imply a high degree of damage and potential for fibre release.

<sup>16</sup> Naturally occurring asbestos is asbestos minerals found naturally in association with geological deposits including rock, sediment, or soil. Asbestos minerals are commonly found around the world in ultramafic rock formations including serpentinite (chrysotile [white]) and amphibole (actinolite, amosite [brown], anthophyllite, crocidolite [blue] and tremolite) as well as in soils where these rock types are located.

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- the concentration of a contaminant in a groundwater sample from a site is equal to or above the groundwater health screening level for vapour intrusion for the current or approved use of the respective on-site or off-site land as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

OR

- the concentration of a contaminant in an individual soil vapour sample from the land is equal to or above the soil vapour health screening level for vapour intrusion for the current or approved use of the respective on-site or off-site land as specified in Section 6, Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013)

AND

- the concentration of the contaminant will continue to remain equal to or above the specified concentration

AND

- a person has been or foreseeably will be exposed to the contaminant or any by-product of the contaminant.

Further details on the concept of 'foreseeability' are provided in Section 2.3.7 of these guidelines.

Note that under some circumstances, contaminated soil or groundwater may impact air quality. Where air quality has been affected and a person has been, or foreseeably will be, exposed to elevated levels of vapour, it is recommended that this is reported to the EPA by calling Environment Line on 131 555.

As required by Schedule B1 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013) immediate action including, but not restricted to, notification is required where potentially explosive or acutely toxic gas concentrations are present in buildings or in ground services (such as utility trenches, sumps or drains) which may connect a ground gas source to a building, neighbouring building or off-site in ground services. For the purpose of this guideline, a potentially explosive or acutely toxic gas concentration is a concentration that is greater than 25% of the lower explosive limit for the gas in air, or greater than 25% of the acute toxicity of the gas in air.

Notification is not required if approved management measures are in place to control gas entry into buildings or in ground services.

Emergency management actions should be implemented as necessary. This includes notification to the EPA, emergency services and potentially affected parties including service providers, and relocation of building occupants if required.

### 2.3.7 Foreseeable

The CLM Act uses the key concept of 'foreseeable' to determine the likelihood of the presence of contamination or potential routes for its migration.

Foreseeability depends on a number of considerations, including:

- the physical and chemical properties of the contaminants
- the quantity of the contaminants
- the location of the site
- the geological and hydrogeological conditions (soil stratigraphy, depth to groundwater, and direction and rate of groundwater or surface water flow)
- the potential fate and transport mechanisms.

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To determine the foreseeable movement of contaminants through various media, such as soil, groundwater, surface water or air, enough samples need to be collected to allow verification of the extent of contamination in the relevant media and the results compared with the appropriate references in these guidelines. Where relevant media have not been sampled the potential movement of contaminants at levels above the notification trigger values should be assumed. An exception to this is when negligible amounts of contaminants that are unlikely to affect human health and the environment have been released into the environment.

## 2.4 Other contaminants

In cases where no levels are specified for a particular contaminant in various environmental media, other reputable regulatory criteria may be used as a reference. The *National Environment Protection (Assessment of Site Contamination) Measure 1999* (NEPC 2013) emphasises that a site-specific risk assessment should be conducted where criteria are not readily available. Detailed site-specific health risk assessments or ecological risk assessments can be complex and costly, and site-specific considerations will guide decisions on the level of assessment required.

## 2.5 Situations not intended to be captured by the duty to report

The duty to report is not intended to capture the notification of:

- widespread diffuse urban pollution that is not attributed to a specific industrial, commercial or agricultural activity
- sites without off-site contamination where
  - on-site contamination is not likely to migrate to a neighbouring property, and
  - any on-site contamination has been assessed and the site found to be suitable for the proposed use in accordance with the requirements under the *Environmental Planning and Assessment Act 1979*
- sites with contaminants that are at levels above the triggers but are equal to, or below, the ambient background concentration
- sites with non-friable asbestos materials (fibro) in or on soils, or naturally occurring asbestos,
- incidents of illegal dumping
- stockpiles of waste that are subject to the POEO Act
- sites that have already been notified to the EPA under the CLM Act, where there has been no change in circumstances since the previous notification
- sites subject to a declaration, order or proposal under Part 3 of the CLM Act
- sites formerly subject to a declaration under Part 3 of the CLM Act but where no potentially contaminating activities have since been carried out
- sites where a site audit statement has been issued certifying that the site is suitable for the current or approved use, no potentially contaminating activities have since been carried out and there are no off-site impacts.

While the duty to report under the CLM Act is not intended to capture the above scenarios, the EPA may still choose to regulate these sites under the CLM Act or other legislation if it considers that the contamination is significant enough to warrant regulation. In doing so, the EPA would consider the circumstances of each site in determining whether to intervene.

It should also be noted that while the situations listed above may not require notification under the CLM Act, there may be notification requirements under the POEO Act and other legislation.

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## 2.6 Situations when the duty to report may arise

The duty to report arises when a landowner or a person whose activities have contaminated the land:

- is aware of the contamination, or
- should reasonably have become aware of the contamination.

The following factors are to be taken into account in determining when a person should reasonably have become aware of the contamination:

- the person's abilities, including their experience, qualifications and training
- whether the person could reasonably have sought advice that would have made them aware of the contamination
- the circumstances of the contamination.

### 2.6.1 Abilities, experience, qualifications and training

The EPA considers that a person should reasonably be aware of contamination on land if they have knowledge of:

- the contaminants present that could cause contamination
- how to identify and assess those contaminants
- the behaviour of those contaminants in the environment
- how to assess the potential pathways by which those contaminants could move
- how to assess and identify the exposure pathways available to those contaminants.

### 2.6.2 Reasonability of seeking advice and the circumstances of contamination

A range of factors might influence whether a person can reasonably seek advice about contamination. Although it is impossible to exhaustively describe these factors, some examples are provided as guidance below.

For example, the following factors might affect whether a person should reasonably seek advice:

- the circumstances of the contamination (for example, whether there is evidence of the contamination)
- the site history (including consideration of historic activities causing on-site contamination or waste stockpiles)
- the activities currently carried out at the site
- the activities carried out by the landowner
- whether the person, or anyone engaged by them, is able to access the site to obtain further information about the contamination; for example, they might have difficulty accessing the site where they are not a lessee (or sub-lessee) or lessor (or sub-lessor) of the site, do not own the site, and have no control or management of the site or financial interest in it.

Where a person:

- undertakes potentially contaminating commercial or industrial activities on a site, or
- is involved in land development activities on land that has been associated with activities which may potentially contaminate land, water, groundwater or air

they should seek advice about the existence, and nature, of any contamination on the site.

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Where:

- potentially contaminating commercial or industrial activities have previously been carried out on the land or the land is filled with materials from an unknown origin
- there is evidence of contamination, and
- no prior assessment has been conducted or a management plan for the site has not been developed and implemented

the landowner or a person engaged in an activity that could potentially contaminate the land should seek further advice about the site and determine whether any contamination needs to be notified to the EPA.

### 2.6.3 When a person should seek advice about site contamination

A range of scenarios are provided below as guidance in determining whether a person should seek advice about site contamination for the purposes of section 60(9)(b) of the CLM Act. These examples are not exhaustive and do not constitute legal advice. The importance of seeking further advice about site contamination will depend on the particular circumstances in each instance and these may differ from the examples given below. Landowners and anyone carrying out potentially contaminating activities should obtain independent legal advice.

#### Examples where further assessment is not needed

A person would not be expected to seek advice in the following situations.

##### Example 1

- The site is currently used for residential purposes.
- The site has never been used for commercial or industrial purposes.
- The site has complete coverage with well-maintained grass and/or pavements and/or buildings.
- Gardens are established at the site with clean topsoil.
- No indicators of contamination are present (for example, no dead or stressed vegetation, no surface indicators of chemical spills, no unexplained patches of bare earth, no soil staining, no chemical odours from drains or other subsurface locations, no unexplained animal deaths, no unexplained health issues).
- **No duty to report.**

##### Example 2

- The site is in use for any purpose.
- The site was previously used for commercial or industrial purposes.
- Site contamination is appropriately contained and disturbance of the cap is subject to:
  - an environmental management plan (EMP) and is carried out in accordance with that plan, or
  - a development consent and is carried out in accordance with that consent, or
  - a site audit statement has been issued certifying that the site is suitable for the current or approved use and no potentially contaminating activities have been carried out at the site since the statement was issued.
- **No duty to report.**

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Example 3

- The site is currently used for public open space purposes (for example, parks, playgrounds, playing fields).
- Public access to the site is allowed.
- The site contamination is completely covered with clean materials (for example, clean soil stabilised by healthy vegetation such as grass, pavements).
- An appropriate EMP and work health and safety (WH&S) plan are being implemented at the site for users and visiting maintenance workers.
- **No duty to report.**

Example 4

- The site is currently used for commercial, industrial or other purposes (for example, infrastructure or utility corridors).
- The site is fenced and members of the public are not able to access the site.
- An appropriate EMP and WH&S plan are being implemented at the site for users and visiting maintenance workers.
- There is no evidence of contamination (for example, no dead or stressed vegetation, no surface indicators of chemical spills, no unexplained patches of bare earth, no chemical odours from drains or other subsurface locations, no unexplained animal deaths, no unexplained health issues, no reasons to suspect groundwater is being affected by the activities).
- There is no aboveground or underground storage of bulk liquid chemicals.
- **No duty to report.**

Example 5

- The site is currently used for a commercial or industrial use.
- The site is fenced and members of the public are not able to access the site.
- An appropriate WH&S plan is being implemented for users of the site and for visiting maintenance workers.
- There is underground storage of bulk liquid chemicals or fuels on the site.
- There is no evidence of contamination (for example, no dead or stressed vegetation, no surface indicators of chemical spills, no unexplained patches of bare earth, no chemical odours from drains or other subsurface locations (other than the underground storage location), no unexplained animal deaths, no unexplained health issues).
- There are groundwater monitoring wells at the site and no contamination has been detected.
- An appropriate EMP and/or an ongoing groundwater monitoring plan have been implemented in all six-monthly monitoring periods to date.
- **No duty to report.**

Example 6

- The site is currently used for commercial or industrial purposes, including associated infrastructure such as carparks, roads and open space.
- Public access to the site is allowed.

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- The site is permanently covered (for example, by pavements and/or by floor slabs with small landscaped or grassed areas).
- An appropriate EMP and WH&S plan are being implemented for users and visiting maintenance workers.
- There is no underground storage of bulk liquid chemicals or fuels on the site.
- There is no evidence of contamination (for example, no dead or stressed vegetation, no surface indicators of chemical spills, no unexplained patches of bare earth, no chemical odours from drains or other subsurface locations (other than the underground storage location), no unexplained animal deaths, no unexplained health issues).
- **No duty to report.**

Example 7

- The site is currently used for industrial purposes.
- There are aboveground and underground storage systems at the site.
- A detailed site investigation has been conducted and the nature, degree and extent of contamination have been thoroughly defined.
- Contamination is present in the groundwater at concentrations above the triggers but is confined within the boundaries of the site.
- There are phase separated hydrocarbons (PSH) present on the site.
- Site investigations have confirmed that, because the soils are of low permeability, the contaminated groundwater is unlikely to move off site.
- Groundwater monitoring close to, or at, the hydraulic down-gradient site boundary continues to confirm that the contaminated groundwater will not migrate off site.
- The contaminants have been found not to pose on-site risks (for example, from vapour inhalation).
- An appropriate WH&S plan and EMP are being implemented for site users and visiting maintenance workers.
- **No duty to report.**

Example 8

- Structures with asbestos-containing materials are on site
- The site is currently used for residential purposes.
- The site has never been used for commercial or industrial purposes.
- The site has complete coverage with grass and/or pavements and/or buildings.
- Gardens are established and maintained at the site with clean topsoil.
- All visible non-friable asbestos fragments in or on the surface soils have been removed and disposed of at an appropriate waste facility.
- **No duty to report.**

**Examples where advice should be sought**

A person would be expected to seek advice in the situations below to establish the nature and level of contamination and whether it is likely to migrate to adjoining properties and thus determine whether there is a duty to notify.

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Example 9

- The site is currently used for commercial, industrial or open recreational purposes.
- Public access to the site is allowed.
- The site is uncovered, with access to soil and/or fill materials.
- Large areas of the site are filled with materials of unknown origin and the site is adjacent or close to a sensitive receptor (for example, land used for residential purposes or child-care or land close to a waterway).
- **Seek further advice**

Example 10

- The site is currently used for commercial or industrial purposes.
- The site is fenced or not fenced and members of the public are, or are not, able to access the site.
- An appropriate WH&S plan and EMP are being implemented for site users, including visiting maintenance workers.
- There is underground or aboveground storage of bulk liquid chemicals or fuels on the site.
- No groundwater wells are present on the site.
- No environmental assessment has been recently undertaken to assess whether any contaminants at the site have migrated, or are likely to migrate, to adjoining properties.
- **Seek further advice.**

Example 11

- Structures with asbestos-containing materials are on site
- The site is currently used for residential, commercial or industrial purposes.
- The site has incomplete coverage with grass and/or pavements and/or buildings.
- There are visible non-friable asbestos fragments in or on the surface soils.
- **Seek further advice.**

Example 12

- The site is currently used for industrial purposes.
- There are aboveground and underground storage systems at the site.
- There is PSH present on the site and it is unclear whether the plume is migrating off site.
- Concentrations of contaminants in groundwater are unknown.
- **Duty to report.**

## 2.7 Form of report

The CLM Act requires notification using a form approved by the EPA. The approved [notification form](#) may be downloaded from the EPA website. Any supporting information related to the contamination (such as consultant reports) should be attached to the form.

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### 2.8 Failure to report

A person who is required to report contamination to the EPA but fails to do so may be subject to prosecution. If they are convicted, the CLM Act currently provides for a maximum penalty of:

- \$1,000,000 with a further penalty of \$77,000 for each day the offence continues, in the case of a corporation, or
- \$250,000 with a further penalty of \$33,000 for each day the offence continues, in the case of an individual.

### 3. EPA regulatory actions

#### 3.1 Evaluating the significance of the contamination

When the EPA receives notification of contamination under section 60 of the *Contaminated Land Management Act 1997* (CLM Act), it will assess the information provided and other relevant information to determine whether the contamination is significant enough to warrant regulation. Matters the EPA must consider before declaring land to be significantly contaminated land are listed in section 12 of the CLM Act and described in Section 3.2 of these guidelines.

The EPA has an obligation under section 8 of the CLM Act to respond within a reasonable time to anyone who has provided information about actual or possible contamination of land and record what the EPA has done and the reasons for doing it.

The information provided by a person in complying with the duty to report under section 60 of the CLM Act is not admissible as evidence in any proceedings against that person for an offence under environment protection legislation administered by the EPA (except in proceedings for an offence under section 60 of the CLM Act).

#### 3.2 Contamination significant enough to warrant regulation

The CLM Act defines the process the EPA is required to follow before declaring land to be significantly contaminated. In determining whether contamination of land is significant enough to warrant regulation, the EPA must take into account:

- whether the substances have already caused harm or are likely to cause harm (for example, in the form of toxic effects on plant or animal life)
- whether the substances are toxic, persistent or bioaccumulative, or are present in large quantities or high concentrations, or occur in combinations
- whether there are exposure pathways available to the substances (that is, routes by which the substances may proceed from the source of the contamination to human beings or into the environment)
- whether the uses to which the land (and any land adjoining it) is currently being put are such as to increase the risk of harm from the substances (for example, using the land for the purposes of child-care, dwellings, or production of food for human consumption)
- whether the approved uses of the land and land adjoining it are likely to increase the risk of harm from the substances
- whether the substances have migrated, or are likely to migrate, from the land because of the nature of the land or the substances themselves
- relevant guidelines.

The CLM Act does not define the nature or level of contamination that requires regulation, as this is determined on a case-by-case basis. Determining whether contamination is significant enough to warrant regulation involves many considerations, including the type, nature, quantity and concentration of contaminants, how they manifest themselves, the characteristics they display, and the nature of their impacts in a particular medium. It also involves broader considerations such as the current use of the land, receptors that might be exposed to the contaminants under that use, and the likelihood of exposure.

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### 3.3 Sites warranting regulation

Once the EPA determines that the contamination of land is significant enough to warrant regulation, it may take any of a number of actions under the CLM Act. These actions could include:

- declaring the land to be 'significantly contaminated land' (section 11 of the CLM Act)
- issuing management orders to require site assessment, remediation and/or monitoring (section 14 of the CLM Act)
- approving proposals from interested parties to manage the land voluntarily (section 17 of the CLM Act)
- liaising and negotiating with landowners or land occupiers about appropriate solutions
- undertaking educational and public awareness programs and other measures to minimise the environmental and health implications of the contamination (section 104 of the CLM Act)
- issuing a clean-up or prevention notice under the *Protection of the Environment Operations Act 1997* (POEO Act), regardless of whether or not the EPA is the appropriate regulatory authority (section 46 of the CLM Act).

In addition to regulatory actions, and if it is in the public interest, the Minister may also enter into voluntary offset arrangements with a person responsible for contamination of land. Under these arrangements, the person would provide help (other than direct monetary help) to communities affected by the contamination (section 111A of the CLM Act).

The actions taken by the EPA will depend on the nature of the site, the use to which it is put, the nature of the risk identified by the EPA and the management options available for addressing the risk. The EPA's primary goal in managing contaminated land, where the contamination is significant enough to warrant regulation, is to ensure the risk posed by the contamination is reduced so that the existing land use may continue or a land use currently approved may proceed.

### 3.4 Where regulation is not warranted

In some circumstances a site may be contaminated but the EPA considers that the contamination is not significant enough to warrant regulation. A site may contain contaminants at levels above the trigger levels but, because of the limited exposure pathways available, the contamination will not be considered significant enough to warrant regulation.

Where the EPA considers that a contaminated site does not warrant regulation under the CLM Act, the contamination issue should be addressed by the proponent and the planning consent authority as part of the development approval process. If the existing land use is proposed to be changed, the planning authority may require the site to be remediated to a level suitable for the proposed new use. Local councils may also consider regulating the contamination, where warranted, under the POEO Act.

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## 4. Glossary

Acceptable risk	The acceptability of risk depends on scientific data, social, economic and political factors, and the perceived benefits arising from exposure to an agent.
Ambient background concentration	Of a contaminant is the soil concentration in a specified locality that is the sum of the naturally occurring background and the contaminant levels that have been introduced from diffuse or non-point sources by general anthropogenic activity not attributable to industrial, commercial or agricultural activities.
Approved use of land	A use to which land may be put without approval or development consent under the Environmental Planning and Assessment Act 1979.
Assessment of site contamination	A set of formal methods for determining the nature, extent and levels of existing contamination of a site and the actual or potential risk to human health or the environment on or off-site resulting from that contamination.
Concentration	The amount of material or agent dissolved or contained in unit quantity in a given medium or system.
Contaminant	A chemical existing in the environment above background levels and representing, or potentially representing, an adverse health or environmental risk.
Contaminated groundwater	Groundwater that has contamination at such a level that the condition of groundwater is such that it is not suitable for the current or realistic future use or presents the likelihood of causing an unacceptable environmental or human health impact in the discharge environment.
Contamination	The condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human activity at above background level and represents, or potentially represents, an adverse health or environmental impact.
Contamination of land	The presence in, on or under the land of a substance at a concentration above which the substance is normally present in, on or under land in the same locality and which presents a risk of harm to human health or any other aspect of the environment.
Ecological investigation level (EIL)	The concentration of contaminants above which further appropriate investigation and evaluation will be required. EILs depend on specific soil physicochemical properties and land-use scenarios and generally apply to the top 2 metres of soil.
Ecological risk assessment	A set of formal, scientific methods for defining and estimating the probabilities and magnitudes of adverse impacts on plants, animals and/or the ecology of a specified area posed by a particular stressor(s) and frequency of exposure to the stressor(s). Stressors include chemicals, changes in physicochemical properties such as temperature, other human actions and natural catastrophes.
Ecological screening level (ESL)	For petroleum hydrocarbons are the concentrations above which further appropriate investigation and evaluation will be required. ESLs broadly apply to coarse- and fine-grained soils and various land uses. They are generally applicable to the top 2 metres of soil.

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

Ecologically sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
Effect	The change in state or dynamics of an organism, system, or population caused by exposure to a chemical.
Exposure	Occurs when a chemical, physical or biological agent makes contact with the human body through breathing, skin contact or ingestion; for example, contaminants in soil, water and air.
Exposure assessment	The evaluation of the exposure of an organism, system, or population to a chemical (and its derivatives).
Exposure pathway	The means by which a contaminant makes contact with the exposed population.
Groundwater	All water occurring below the land surface.
Groundwater investigation level	The concentration of a groundwater parameter at which further investigation (point of extraction) or a response (point of use) is required. Includes Australian water quality guidelines, drinking water guidelines, guidelines for managing risk in recreational water criteria and site-specific derived criteria.
Health investigation level (HIL)	The concentrations of a contaminant above which further appropriate investigation and evaluation will be required. HILs are generic to all soil types and generally apply to the top 3 metres of soil.
Health risk assessment	The process of estimating the potential impact of a chemical, biological or physical agent on a specified human population system under a specific set of conditions.
Health screening level (HSL)	For petroleum hydrocarbons are the concentrations above which further appropriate investigation and evaluation will be required. HSLs depend on physicochemical properties of soil, as these affect hydrocarbon vapour movement in soil, and the characteristics of building structures. HSLs apply to different soil types, land uses and depths below surface > 4 m and have a range of limitations.
Land use	Is based on the human purposes or economic activities that are conducted on a piece of land. This Measure specifies three land-use categories: (1) areas with high ecological value, (2) urban residential and public open space, and (3) commercial and industrial land.
National Environment Protection Measure	A measure made under section 14(1) of the <i>National Environment Protection Council Act 1994</i> (Cwlth) and the equivalent provisions of the corresponding Acts of participating states and territories.
Receptor	Is the entity (organism, population, community, or set of ecological processes) that may be adversely affected by contact with, or exposure to, a contaminant of concern. Sensitive groups refer to sub-populations with susceptibility and vulnerability factors.
Remediation	Of contaminated land includes: (a) preparing a long-term management plan (if any) for the land, and (b) removing, dispersing, destroying, reducing, mitigating or containing the contamination of the land, and (c) eliminating or reducing any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on the land).

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

Risk	The probability, within a certain timeframe, that an adverse outcome will occur in a person, a group of people, plants, animals and/or the ecology of a specified area that is exposed to a particular dose or concentration of a chemical substance; that is, it depends on the level of toxicity of the chemical substance and the level of exposure to it.
Risk assessment	The process of estimating the potential impact of a chemical, physical, microbiological or psychosocial hazard on a specified human population or ecological system under a specific set of conditions and for a certain timeframe.
Sensitive receptors	Refers to sub-populations with both susceptibility and vulnerability factors. These human populations at higher risk due to environmental factors. Examples of vulnerability factors include age, existing or past illness, poverty and other social determinants, smoking, poor nutrition, poor sanitation, behaviour more often associated with severe or profound intellectual disability (for example, pica).
Site	The parcel of land being assessed for contamination.
Soil	A complex heterogeneous medium consisting of variable amounts of mineral material, organic matter, pore water and pore air and is capable of supporting organisms, including plants, bacteria, fungi, protozoans, invertebrates and other animal life.
Source	The contaminant that is considered to represent a potential risk and requiring assessment.
Toxicity	The quality or degree of being poisonous or harmful to plant, animal or human life.

Note: This Glossary has been reproduced from the [Contaminated Land Management Act 1997](#) and the [National Environment Protection \(Assessment of Site Contamination\) Measure 1999](#) (NEPC 2013).

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

## 5. References

DEC 2006, Contaminated Sites: Guidelines for the NSW Site Auditor Scheme, 2nd edition, NSW Department of Environment and Conservation, Sydney, [www.epa.nsw.gov.au/clm/guidelines.htm](http://www.epa.nsw.gov.au/clm/guidelines.htm)

DEC 2007, Contaminated Sites: Guidelines for the Assessment and Management of Groundwater Contamination, NSW Department of Environment and Conservation, Sydney, [www.epa.nsw.gov.au/clm/guidelines.htm](http://www.epa.nsw.gov.au/clm/guidelines.htm)

EPA 1995, Sampling Design Guidelines, NSW Environment Protection Authority, Sydney, [www.epa.nsw.gov.au/clm/guidelines.htm](http://www.epa.nsw.gov.au/clm/guidelines.htm)

EPA 2014, Technical Note: Investigation of Service Station Sites, NSW Environment Protection Authority, Sydney, [www.epa.nsw.gov.au/clm/otherguidance.htm](http://www.epa.nsw.gov.au/clm/otherguidance.htm)

NEPC 2013, National Environment Protection (Assessment of Site Contamination) Measure 1999, National Environment Protection Council, Canberra, [www.scew.gov.au/nepms/assessment-site-contamination](http://www.scew.gov.au/nepms/assessment-site-contamination)

OEH 2011, Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites, NSW Office of Environment and Heritage, Sydney, [www.epa.nsw.gov.au/clm/guidelines.htm](http://www.epa.nsw.gov.au/clm/guidelines.htm)

Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997*

## 6. Appendix 1: Decision process and checklist for persons responsible for reporting potential contamination to the EPA

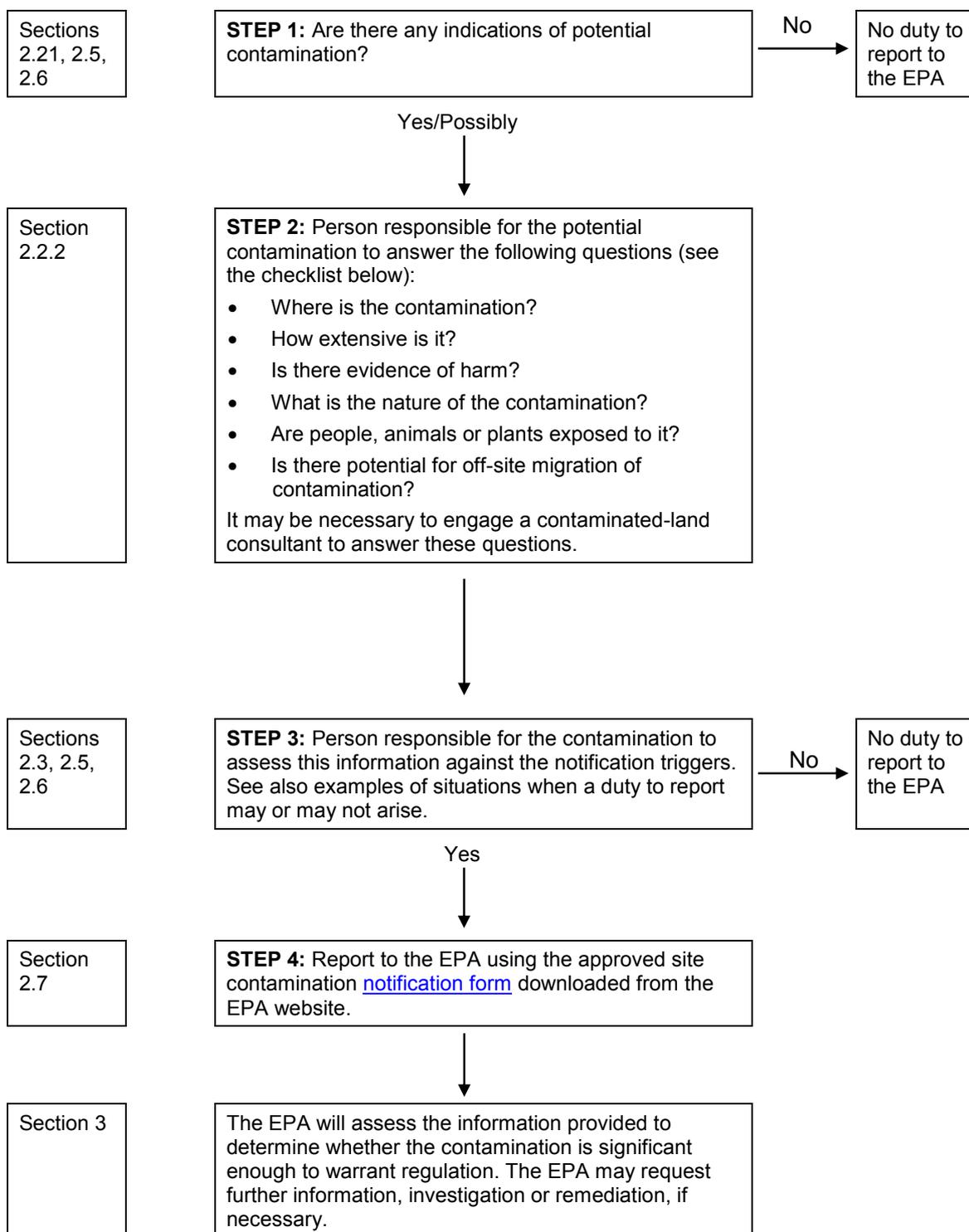


Figure 1: Decision process for use by persons responsible for reporting contamination to the EPA under the *Contaminated Land Management Act 1997*.

Guidelines on the Duty to Report Contamination  
under the *Contaminated Land Management Act 1997*

**Checklist for use by persons responsible for reporting contamination to the EPA**

**Step 1: Indications of possible contamination**

Person responsible for the potential contamination to review site history and records and undertake a site inspection to check whether:

- the site or adjacent sites may be associated with potentially contaminating activities
- the site or adjacent sites may be associated with complaints about pollution or illegal dumping of wastes
- there are any gaps in the site history or doubts about whether the site could have been associated with activities causing contamination
- there are any chemical, physical or biological indicators of contamination, as per Section 2.2.1 of these guidelines.

If the answer to all of the above points in Step 1 is 'no', reporting to the EPA is not required under section 60 of the *Contaminated Land Management Act 1997* (CLM Act). If the answer to any of the above points in Step 1 is 'yes' proceed to Step 2.

**Step 2: Assessing the site**

Once the indicators of contamination have been identified check whether:

- an investigation of the potential contaminants of concern has been conducted to define the nature, degree and extent of contamination
- site investigation(s) and reporting have followed the requirements of Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites (OEH 2011) and Schedule B2 (Guideline on Site Characterisation) of the [National Environment Protection \(Assessment of Site Contamination\) Measure 1999](#) (NEPC 2013)
- site investigation(s) and reporting have followed the requirements of Schedule B1 (Guideline on Investigation Levels for Soil and Groundwater) of the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC 2013)
- the checklist for Exposure Assessment in Appendix VII of the Contaminated Sites: Guidelines for the NSW Site Auditor Scheme, 2nd edition (DEC 2006) has been considered (or exposure assessment in future revisions of the site auditor guidelines)
- any evidence of, or potential for, migration of contaminants from the site and its adjacent sites has been appropriately addressed
- the results of the assessment are assessed against the notification triggers in Section 2.3 of these guidelines.

A contaminated land consultant engaged to clarify the level of contamination should:

- have appropriate qualifications and be experienced in contaminated-site assessment and remediation (refer to [Where to find a consultant?](#) on the EPA website or Schedule B9 of the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC 2013) for further information)
- be aware that the investigation is to provide information for assessment of reporting obligations under section 60 of the CLM Act.

If the answers to all of the above in Step 2 are 'yes' and the assessment indicates no contamination, reporting to the EPA is not required under section 60 of the CLM Act.

## Roads and Maritime Notices

### ROADS ACT 1993

#### ORDER

#### Section 52A

Declaration of CBD and South East Light Rail Transitway in the Local Government Areas of the City of Sydney and Randwick City

I, the Minister for Roads, Maritime and Freight, pursuant to section 52A of the *Roads Act 1993* and on the recommendation of Roads and Maritime Services, by this Order, declare each of the roads described in the schedule below as a transitway, to be designated Transitway No 8009.

DUNCAN GAY, MLC  
Minister for Roads, Maritime and Freight

#### Schedule

Class, Name and Number	Description
Transitway No 8009	<p>From Circular Quay to Anzac Parade/Dacey Avenue intersection – from Alfred Street at Loftus Street intersection west to George Street, then south on George Street to Rawson Place, then east on Rawson Place and Eddy Avenue to Elizabeth Street, then south on Elizabeth Street into Chalmers Street, at Randle Street intersection north east along Randle Street to Elizabeth Street intersection then northbound on Elizabeth Street to Chalmers Street intersection and southbound on Elizabeth Street to Devonshire Street intersection, from Chalmers Street intersection on Devonshire Street east on Devonshire to Bourke Street, across Olivia Lane and Parkham Place to South Dowling Street, across South Dowling Street northbound between Mort Street and Nobbs Street, the Eastern Distributor, and South Dowling Street southbound to the Moore Park tunnel eastern portal.</p> <p>From Anzac Parade/Dacey Avenue intersection to Kingsford – south along Anzac Parade to Sturt Street intersection in Kingsford.</p> <p>From Anzac Parade/Dacey Avenue intersection to Randwick – across Darley Road to the south side of Alison Road, from intersection at Alison Road south along Wansey Road through to High Street, then east on High Street to Belmore Road, then south on Belmore Road to Cuthill Street, along Cuthill Street to Avoca Street intersection then north east along Avoca Street to Belmore Road intersection.</p>

### ROADS ACT 1993

#### LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land at Woodburn in the Richmond Valley Council Area

Roads and Maritime Services by its delegate declares, with the approval of His Excellency the Governor, that the land described in the Schedule below is acquired by compulsory process under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for the purposes of the *Roads Act 1993*.

K DURIE  
Manager, Compulsory Acquisition & Road Dedication  
Roads and Maritime Services

#### Schedule

All that piece or parcel of land situated in the Richmond Valley Council area, Parish of Riley and County of Richmond, shown as Lot 2 Deposited Plan 1208782, being part of the land in Certificate of Title 3/705502.

The land is said to be in the possession of Rous County Council.

(RMS Papers: SF2015/133071; RO SF2012/034043)

## Mining and Petroleum Notices

### PETROLEUM (ONSHORE) ACT 1991

Notification under Section 9 (1) (a)

I, Anthony Roberts, Minister for Industry, Resources and Energy, pursuant to section 9 (1) (a) of the *Petroleum (Onshore) Act 1991*, hereby designate the area described in the Schedule to this notification as an area in respect of which an exploration licence, assessment lease or special prospecting authority, is not to be granted.

This notification takes effect on 26 September 2015 and shall cease to operate on **31 December 2015**.

#### Schedule

1. All onshore areas within the State of New South Wales except any area subject to a petroleum title in force at the date of this notification (subject to 2 below).
2. Any area which, while this notification is in force, ceases to be an area subject to a petroleum title.

Dated: 17 September 2015

ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

**Notes:** This notification does not apply to prevent the renewal of an existing petroleum title or the grant of a production lease.

Notice is given that the following applications have been received:

#### EXPLORATION LICENCE APPLICATIONS

(T15-1088)

No 5212, GOLD AND COPPER RESOURCES PTY LIMITED (ACN 124 534 863), area of 34 units, for Group 1, dated 17 September 2015. (Orange Mining Division).

(T15-1089)

No 5213, GFM EXPLORATION PTY LTD (ACN 150 033 042), area of 21 units, for Group 1, dated 18 September 2015. (Sydney Mining Division).

(T15-1090)

No 5214, PAUL ANTONIO POLITO, A C CRAWFORD AND A J CRAWFORD, area of 100 units, for Group 1, dated 22 September 2015. (Broken Hill Mining Division).

(T15-1091)

No 5215, PAUL ANTONIO POLITO, A C CRAWFORD AND A J CRAWFORD, area of 100 units, for Group 1, dated 22 September 2015. (Broken Hill Mining Division).

(T15-1092)

No 5216, PAUL ANTONIO POLITO, A C CRAWFORD AND A J CRAWFORD, area of 100 units, for Group 1, dated 22 September 2015. (Broken Hill Mining Division).

#### MINING LEASE APPLICATION

(T15-1615)

No 509, RESOURCE PACIFIC PTY LIMITED (ACN 106 177 708), area of about 21.7 hectares, for the purpose of any building or mining plant, any cable, conveyor,

pipeline, telephone line or signal, removal of overburden, any reservoir, dam, drain or water race, any road, railway, tramway, bridge or jetty and stockpiling or depositing of overburden, ore or tailings, dated 11 September 2015. (Singleton Mining Division).

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

Notice is given that the following applications have been withdrawn:

#### EXPLORATION LICENCE APPLICATIONS

(T14-1080)

No 5034, QUINIX INVESTMENTS PTY LTD (ACN 163 249 634), County of Argyle, Map Sheet (8828, 8829). Withdrawal took effect on 15 September 2015.

(T14-1081)

No 5035, QUINIX INVESTMENTS PTY LTD (ACN 163 249 634), County of Cadell and County of Townsend, Map Sheet (7826). Withdrawal took effect on 15 September 2015.

#### MINING LEASE APPLICATIONS

(T13-1032)

Sydney No 450, BORAL BRICKS PTY LTD (ACN 082 448 342), Parish of Cook, County of Cumberland, (9030-3-S). Withdrawal took effect on 10 September 2015.

(T14-1177)

Sydney No 485, BORAL BRICKS PTY LTD (ACN 082 448 342), Parish of Cook, County of Cumberland, (9030-3-S). Withdrawal took effect on 10 September 2015.

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

Notice is given that the following applications for renewal have been received:

(05-0764)

Authorisation No 102, SECRETARY NSW DEPT INDUSTRY SKILLS & REGIONAL DEVELOPMENT ON BEHALF OF CROWN, area of 6044 hectares. Application for renewal received 16 September 2015.

(15-2112)

Exploration Licence No 5291, COAL & ALLIED OPERATIONS PTY LTD (ACN 000 023 656), area of 3695 hectares. Application for renewal received 22 September 2015.

(15-2093)

Exploration Licence No 5891, DENIS MICHAEL WALSH, area of 1 units. Application for renewal received 18 September 2015.

(T11-0113)

Exploration Licence No 7844, MOUNT ADRAH GOLD LIMITED (ACN 147 329 833), area of 20 units. Application for renewal received 17 September 2015.

(08-7509)

Mining Purposes Lease No 216 (Act 1973), LOUIS TRIFUNOVIC, area of 2.03 hectares. Application for renewal received 21 September 2015.

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

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#### RENEWAL OF CERTAIN AUTHORITIES

Notice is given that the following authorities have been renewed:

(13-0975)

Exploration Licence No 5818, BROKEN HILL OPERATIONS PTY LTD (ACN 054 920 893), County of Yancowinna, Map Sheet (7134, 7234), area of 10 units, for a further term until 7 March 2017. Renewal effective on and from 16 September 2015.

(13-1929)

Exploration Licence No 6424, GREAT WESTERN MINERALS PTY LTD (ACN 138 476 874), County of Yungnulgra, Map Sheet (7436), area of 26 units, for a further term until 25 May 2017. Renewal effective on and from 1 September 2015.

(06-4076)

Exploration Licence No 6638, CRISTAL MINING AUSTRALIA LIMITED (ACN 009 247 858), County of Cairn, Map Sheet (7528, 7529, 7628), area of 35 units, for a further term until 24 September 2016. Renewal effective on and from 19 August 2015.

(07-0103)

Exploration Licence No 6768, NEW SOUTH RESOURCES LIMITED (ACN 119557416), County of Clarendon, Map Sheet (8428), area of 5 units, for a further term until 1 May 2018. Renewal effective on and from 16 September 2015.

(11-6751)

Exploration Licence No 6997, ABX1 PTY LTD (ACN 139 790 364), Counties of Arrawatta, Burnett and Murchison, Map Sheet (9038, 9138), area of 49 units, for a further term until 24 December 2017. Renewal effective on and from 18 August 2015.

(T08-0139)

Exploration Licence No 7225, PERILYA BROKEN HILL LIMITED (ACN 099 761 289), Map Sheet (), area of 2 units, for a further term until 20 October 2016. Renewal effective on and from 16 September 2016.

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

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#### REQUESTED CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

Notice is given that the following authorities have been requested to be cancelled:

(T12-1176)

Exploration Licence No 8081 (Act 1992), GGG TEMORA PTY LTD (ACN 158 878 258), County of Bland, County of Bourke and County of Clarendon, Map Sheet (8328, 8329, 8428), area of 147 units. Request of cancellation was received on 17 September 2015.

(T13-1167)

Exploration Licence No 8232, THARSIS MINING PTY LTD, (ACN 135 552 742), County of Evelyn, area of 42 units. Application for Cancellation was received on 11 September 2015

(14-543)

Exploration Licence No 8233, THARSIS MINING PTY LTD, (ACN 135 552 742), County of Evelyn, area of 58 units. Application for Cancellation was received on 11 September 2015

(T13-1213)

Exploration Licence No 8246, THARSIS MINING PTY LTD, (ACN 135 552 742), County of Evelyn, area of 23 units. Application for Cancellation was received on 11 September 2015

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

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#### CANCELLATION OF AUTHORITIES AT REQUEST OF HOLDERS

Notice is given that the following authorities have been cancelled:

(T12-1176)

Exploration Licence No 8081, GGG TEMORA PTY LTD (ACN 158 878 258), County of Bland, County of Bourke and County of Clarendon, Map Sheet (8328, 8329, 8428), area of 147 units. Cancellation took effect on 18 September 2015.

(T13-1167)

Exploration Licence No 8232, THARSIS MINING PTY LTD (ACN 135 552 742), County of Evelyn, Map Sheet (7137), area of 42 units. Cancellation took effect on 17 September 2015.

(14-0543)

Exploration Licence No 8233, THARSIS MINING PTY LTD (ACN 135 552 742), County of Evelyn, Map Sheet (7137), area of 58 units. Cancellation took effect on 17 September 2015.

(T13-1213)

Exploration Licence No 8246, THARSIS MINING PTY LTD (ACN 135 552 742), County of Evelyn, Map Sheet (7237, 7238), area of 23 units. Cancellation took effect on 17 September 2015.

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

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#### EXPIRIES

Private Lands Lease No 1248 (Act 1924), MUDGEE DOLOMITE & LIME PTY. LIMITED (ACN 076 313 034), Parish of Bayly, County of Phillip; and Parish of Bayly, County of Phillip. This title expired on 19 September 2015.

Private Lands Lease No 1331 (Act 1924), MUDGEE DOLOMITE & LIME PTY. LIMITED (ACN 076 313 034), Parish of Bayly, County of Phillip; and Parish of Bayly, County of Phillip. This title expired on 19 September 2015.

The Hon ANTHONY ROBERTS, MP  
Minister for Industry, Resources and Energy

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## Primary Industries Notices

### **APIARIES ACT 1985**

#### Appointment of Inspector

I, Scott Hansen, Director General of the Department of Primary Industries pursuant to section 5 (1) of the *Apiaries Act 1985* (“the Act”) hereby appoint Brett Simon KERRUISH as an inspector for the purposes of this Act.

Dated this 11th day of September 2015.

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

### **PLANT DISEASES ACT 1924**

#### Appointment of Inspector

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 28C of the *Plant Diseases Act 1924* (“the Act”) and pursuant to section 11 (1) of the Act, hereby appoint David Elijah SINCLAIR as an inspector for the purposes of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

### **PLANT DISEASES ACT 1924**

#### Authorisation of Inspector to Issue Penalty Notice

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 19 (3) of the *Plant Diseases Act 1924*, authorise Ross Ean TAYLOR, an inspector under the Act, to exercise the power conferred by section 19 of the Act to serve a penalty notice on a person if it appears to the inspector that the person has committed an offence against the Act or the regulations made under the Act, being an offence that is prescribed by the regulations made under the Act for the purposes of section 19 of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

### **STOCK (CHEMICAL RESIDUES) ACT 1975**

#### Authorisation of Inspector to Issue Penalty Notice

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 15A of the *Stock (Chemical Residues) Act 1975*, authorise Ross Ean TAYLOR, an inspector under the Act, to exercise the power conferred by section 15A of the Act to serve a penalty notice on a person if it appears to the inspector that the person has committed an offence against the Act or the regulations made under the Act, being an offence that is prescribed by the regulations made under the Act for the purposes of section 15A of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

### **STOCK DISEASES ACT 1923**

#### Appointment of Inspector

Notification No: 573

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 22C of the *Stock Diseases Act 1923* (“the Act”) and pursuant to section 6 (1) of the Act, hereby appoint Ross Ean TAYLOR as an inspector for the purposes of the Act, commencing from 30 April 2002, and continuing from the publishing date of the gazettal.

Dated this 11th day of September 2015.

SCOTT HANSEN

Director General

Department of Primary Industries

(an office within the Department of Industry, Skills and Regional Development)

**STOCK DISEASES ACT 1923**

Appointment of Inspectors

Notification No: 572

I, Scott Hansen, Director General of the Department of Primary Industries with the delegated authority of the Secretary of the Department of Trade and Investment, Regional Infrastructure and Services pursuant to section 22C of the *Stock Diseases Act 1923* (“the Act”) and pursuant to section 6 (1) of the Act, hereby appoint each of the persons named in the Schedule below, as an inspector the purposes of the Act.

**Schedule**

Nigel BROWN  
Mervyn George JOHNSON  
Kelli Patri JOHNSTON  
Andrew James CARTER  
David Elijah SINCLAIR  
Tanis Leigh STOLZ

Dated this 11th day of September 2015.

SCOTT HANSEN  
Director General  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development).

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**STOCK DISEASES ACT 1923**

Authorisation of Inspector to Issue Penalty Notice

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 200 (3) of the *Stock Diseases Act 1923*, authorise Ross Ean TAYLOR, an inspector under the Act, to exercise the power conferred by section 200 (2) of the Act to serve a penalty notice on a person if it appears to the inspector that the person has committed an offence against the Act or the regulations made under the Act, being an offence that is prescribed by the regulations made under the Act for the purposes of section 200 of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN  
Director General  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development)

**STOCK FOODS ACT 1940**

ORDER

Authorisation of Inspectors

I, Scott Hansen, Director General of the Department of Primary Industries with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development pursuant to section 30 of the *Stock Foods Act 1943* (“the Act”) and pursuant to section 20 (1) (a) of the Act, hereby appoint David Elijah SINCLAIR as an inspector the purposes of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development)

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**STOCK MEDICINES ACT 1989**

ORDER

Authorisation of Inspector

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 64 of the *Stock Medicines Act 1989* (“the Act”) and pursuant to section 48 of the Act, hereby authorise David Elijah SINCLAIR as an inspector for the purposes of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN  
Director General  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development)

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**STOCK MEDICINES ACT 1989**

ORDER

Authorisation of Inspector

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 64 of the *Stock Medicines Act 1989* (“the Act”) and pursuant to section 48 of the Act, hereby authorise Ross Ean TAYLOR to be an inspector for the purposes of the Act, commencing from 30 April 2002, and continuing from the publishing date of the gazettal.

Dated this 11th day of September 2015.

SCOTT HANSEN  
Director General  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development)

**STOCK MEDICINES ACT 1989**

Authorisation of Inspector to Issue Penalty Notice

I, Scott Hansen, Director General of the Department of Primary Industries, with the delegated authority of the Secretary of the Department of Industry, Skills and Regional Development, pursuant to section 60A (9) of the *Stock Medicines Act 1989*, authorise Ross Ean TAYLOR, an inspector under the Act, to exercise the power conferred by section 60A of the Act to serve a penalty notice on a person if it appears to the inspector that the person has committed an offence against the Act or the regulations made under the Act, being an offence that is prescribed by the regulations made under the Act for the purposes of section 60A of the Act.

Dated this 11th day of September 2015.

SCOTT HANSEN  
Director General  
Department of Primary Industries  
(an office within the Department of Industry, Skills and Regional Development)

# Crown Lands Notices

1300 886 235 [www.crownland.nsw.gov.au](http://www.crownland.nsw.gov.au)

## ARMIDALE OFFICE

### 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.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

Column 1	Column 2	Column 3
Graham John WILSON (re-appointment)	Uralla Goldfields Historical Reserve Trust	Reserve No 88116 Public Purpose: Preservation of Historical Sites and Buildings Notified: 29 January 1971 File Reference: AE80R172-002
For a term commencing the date of this notice and expiring 26 February 2020.		

## DUBBO OFFICE

### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

Column 1	Column 2
Grazing	Reserve No 43939 Public Purpose: Rifle Range Notified: 26 May 1909 File Reference: 15/06027

## GOULBURN OFFICE

### NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Schedule

Column 1	Column 2
Access	Reserve No 753632 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 14/09959

## GRAFTON OFFICE

### NOTIFICATION OF CLOSING OF A ROAD

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

#### Description

*Parish – Ainsley; County – Parry  
Land District – Walcha; LGA – Walcha*

Road Closed: Lot 1 DP 1211715

File No: AE07H130

#### Schedule

On closing, the land within Lot 1 DP 1211715 remains vested in the State of New South Wales as Crown land.

### NOTIFICATION OF CLOSING OF A ROAD

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Ashford; County – Arrawatta  
Land District – Inverell; LGA – Inverell*

Road Closed: Lot 1 DP 1211232

File No: 15/02077

**Schedule**

On closing, the land within Lot 1 DP 1211232 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Geneva; County – Rous  
Land District – Casino; LGA – Kyogle*

Road Closed: Lot 1 DP 1210347

File No: 15/02635

**Schedule**

On closing, the land within Lot 1 DP 1210347 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Womboin, Barrington; County – Gloucester  
Land District – Gloucester; LGA – Gloucester*

Road Closed: Lot 1 DP 1201067, Lot 2 and 3 DP 1202997

File No: TE07H22

**Schedule**

On closing, the land within Lot 1 DP 1201067, Lot 2 and 3 DP 1202997 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Mount Mitchell; County – Gough  
Land District – Glen Innes  
LGA – Glen Innes Severn Shire*

Road Closed: Lot 1 DP 1211861

File No: 15/05393

**Schedule**

On closing, part of the land within Lot 1 DP 1211861 remains vested in the State of New South Wales as Crown land.

On closing, part of the land within Lot 1 DP 1211861 becomes vested in the State of New South Wales as Crown Land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Orara; County – Fitzroy  
Land District – Grafton; LGA – Coff's Harbour*

Road Closed: Lots 1–2 DP 1208790

File No: 14/05212

**Schedule**

On closing, the land within Lots 1–2 DP 1208790 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Single, Eden; Counties – Hardinge, Gough  
Land District – Armidale; LGA – Guyra*

Road Closed: Lot 2 DP 1210406

File No: 15/01925

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**Schedule**

On closing, the land within Lot 2 DP 1210406 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Billinudgel; County – Rous  
Land District – Murwillumbah; LGA – Byron*

Road Closed: Lot 6 DP 1203836  
File No: 10/19026

**Schedule**

On closing, the land within Lot 6 DP 1203836 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Barney Downs; County – Clive  
Land District – Tenterfield; LGA – Tenterfield*

Road Closed: Lot 2 DP 1211347  
File No: 15/05102

**Schedule**

On closing, the land within Lot 2 DP 1211347 remains vested in the State of New South Wales as Crown land.

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT  
TO SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Grazing; Building

**Column 2**

Reserve No 755736  
Public Purpose: Future  
Public Requirements  
Notified: 29 June 2007  
File Reference: 14/10230

**GRIFFITH OFFICE**

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT  
TO SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Grazing

**Column 2**

Reserve No 72174  
Public Purpose: Travelling  
Stock  
Notified: 21 February 1947  
File Reference: 15/06184  
Reserve No 750607  
Public Purpose: Future  
Public Requirements  
Notified: 29 June 2007  
File Reference: 15/06184

**HAY OFFICE**

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT  
TO SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Pump and Pipeline;  
Grazing

**Column 2**

Reserve No 60379  
Public Purpose: Access  
Notified: 30 March 1928  
File Reference: 14/11109  
  
Reserve No 92826  
Public Purpose: Future  
Public Requirements  
Notified: 27 June 1980  
File Reference: 14/11109

**MAITLAND OFFICE**

**ROADS ACT 1993**

**ORDER**

Transfer of a Crown Road to a 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.

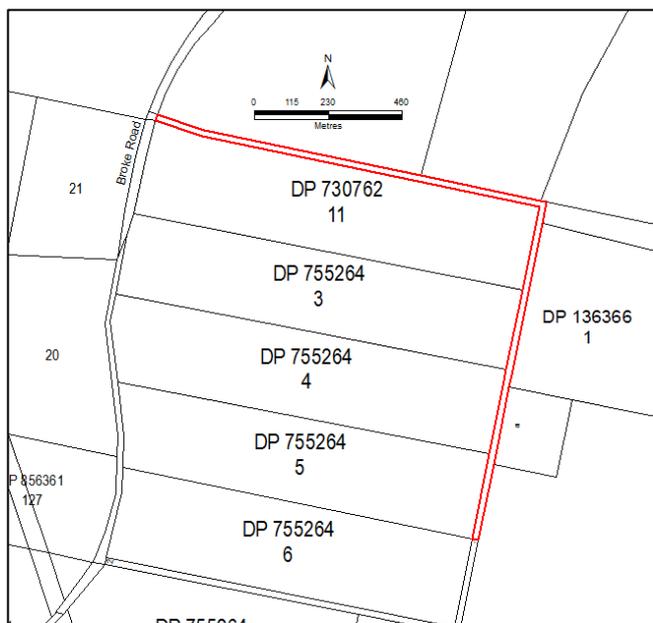
The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule 1**

*Parish – Vere; County – Northumberland  
Land District – Singleton  
Local Government Area – Singleton*

Crown public road extending east approx. 1.2 kilometres from the intersection of Broke Road north of Lot 11 DP 730762 to north eastern boundary of Lot 11 DP 730762 and extending south approx. 1.7 kilometres, terminating at the south eastern boundary of Lot 5 DP 755264 (as highlighted in the diagram below).

**Schedule 2**



Roads Authority: Singleton Council  
Council's Reference: 15/0182  
Lands File Reference: MD89H791

**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.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Andrew Hamilton  
WALKER  
(new member)  
  
Joseph Alfred  
HAYES  
(re-appointment)  
  
Robert Stephanus  
HOOGWERF  
(new member)  
  
Stewart INGLIS  
(new member)  
  
Ian William  
WHEELER  
(new member)

**Column 2**

Pelican Memorial  
Park Trust

**Column 3**

Reserve  
No 72521  
Public Purpose:  
Public Recreation  
Notified:  
21 November  
1947  
File Reference:  
MD83R36

For a term  
commencing  
26 November  
2015 and expiring  
25 November  
2020.

**MOREE OFFICE**

**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.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Carl MCGRADY  
(re-appointment)  
  
Peter Weston  
THOMPSON  
(re-appointment)  
  
Barry JARRETT  
(new member)

**Column 2**

Boobera Lagoon  
(R1009930)  
Reserve Trust

**Column 3**

Reserve  
No 1009930  
Public Purpose:  
Environmental  
Protection,  
Heritage  
Purposes, Public  
Recreation

Column 1	Column 2	Column 3
The person for the time being holding the office of Nominated Representative, Moree Plains Shire Council (ex-officio member)		Notified: 12 March 2004 File Reference: ME03R8
For a term commencing the date of this notice and expiring 24 September 2020.		

**NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Grazing	Reserve No 80403 Public Purpose: Future Public Requirements Notified: 28 February 1958 File Reference: 15/01427 Reserve No 751751 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/05950

**NEWCASTLE OFFICE**

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Bowan; County – Ashburnham  
Land District – Molong; LGA – Cabonne*

Road Closed: Lot 1 DP 1211108  
File No: 14/06454

**Schedule**

On closing, the land within Lot 1 DP 1211108 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Gotha, Shenstone, Broughton  
County – Durham  
Land District – Singleton; LGA – Singleton*

Road Closed: Lots 1–9 DP 1212040 subject to right of carriageway created by Deposited Plan 1212040  
File No: 11/11594

**Schedule**

On closing, the land within Lots 1–9 DP 1212040 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Oberon; County – Westmoreland  
Land District – Bathurst; LGA – Oberon*

Road Closed: Lot 1 DP 1210866  
File No: 15/05292 : AR

**Schedule**

On closing, the land within Lot 1 DP 1210866 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Bindera; County – Gloucester  
Land District – Gloucester; LGA – Gloucester*

Road Closed: Lot 1 DP 1210639  
File No: 15/02646 : AR

**Schedule**

On closing, the land within Lot 1 DP 1210639 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Manum; County – White  
Land District – Coonabarabran; LGA – Warrumbungle*

Road Closed: Lot 1 DP 1210640  
File No: 15/02152 : AR

**Schedule**

On closing, the land within Lot 1 DP 1210640 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Murga; County – Cunningham  
Land District – Condobolin; LGA – Lachlan*

Road Closed: Lot 1 DP 1194333  
File No: 13/11110

**Schedule**

On closing, the land within Lot 1 DP 1194333 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Murga; County – Cunningham  
Land District – Condobolin; LGA – Lachlan*

Road Closed: Lot 2 DP 1194333  
File No: 08/0021

**Schedule**

On closing, the land within Lot 2 DP 1194333 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Sebastopol; County – Cunningham  
Land District – Parkes; LGA – Lachlan*

Road Closed: Lot 3 DP 1194333  
File No: 08/0021

**Schedule**

On closing, the land within Lot 3 DP 1194333 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Clinton; County – Bathurst  
Land District – Orange; LGA – Cabonne*

Road Closed: Lot 1 DP 1211133  
File No: 14/08512

**Schedule**

On closing, the land within Lot 1 DP 1211133 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Erudgere; County – Wellington  
Land District – Mudgee; LGA – Mid-Western Regional*

Road Closed: Lot 1 DP 1211870  
File No: 15/02996

**Schedule**

On closing, the land within Lot 1 DP 1211870 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Hill; County – Beresford  
Land District – Cooma; LGA – Cooma-Monaro*

Road Closed: Lot 1 DP 1210202  
File No: GB06H230: AR

**Schedule**

On closing, the land within Lot 1 DP 1210202 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Buddah; County – Narromine  
Land District – Dubbo; LGA – Narromine*

Road Closed: Lot 1 DP 1207634 (subject to easement for electricity purposes created by Deposited Plan 1207634)  
File No: 10/08341

**Schedule**

On closing, the land within Lot 1 DP 1207634 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Mukki; County – Hawes  
Land District – Walcha; LGA – Walcha*

Road Closed: Lot 1 DP 1211573  
File No: 15/04046

**Schedule**

On closing, the land within Lot 1 DP 1211573 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Thugga, Carabobala  
Counties – Hume, Goulburn  
Land District – Albury; LGA – Greater Hume*

Road Closed: Lot 1 DP 1210031  
File No : 15/01437

**Schedule**

On closing, the land within Lot 1 DP 1210031 remains vested in the State of New South Wales as Crown land.

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**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Toorawandi, Urabrible  
Counties – Napier, Gowen  
Land District – Coonabarabran; LGA – Warrumbungle*

Road Closed: Lots 1–2 DP 1211555 (subject to easements for right of carriageway created by Deposited Plan DP 1211555)  
File No: 09/11821

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**Schedule**

On closing, the land within Lots 1–2 DP 1211555 remains vested in the State of New South Wales as Crown land.

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parishes – Elsmore, Bundaburra; County – Cunningham  
Land District – Condobolin; LGA – Lachlan*

Road Closed: Lot 1 DP 1206354  
File No: CL/00554

**Schedule**

On closing, the land within Lot 1 DP 1206354 remains vested in the State of New South Wales as Crown land.

**NOWRA OFFICE**

**NOTIFICATION OF CLOSING OF A ROAD**

In pursuance of the provisions of the *Roads Act 1993*, the road hereunder described is closed and the lands comprised therein cease to be public road and the rights of passage and access that previously existed in relation to the road is extinguished. Upon closing, title to the land, comprising the former public road, vests in the body specified in the Schedule hereunder.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Description**

*Parish – Araluen; County – St Vincent  
Land District – Braidwood; LGA – Palerang*

Road Closed: Lot 1 DP 1180548  
File No: GB05H375

**Schedule**

On closing, the land within Lot 1 DP 1180548 remains vested in the State of New South Wales as Crown land.

**ORANGE OFFICE**

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT  
TO SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Grazing

**Column 2**

Reserve No 97960  
Public Purpose: Public  
Recreation  
Notified: 25 October 1985  
File Reference: 15/02227  
Reserve No 1014468  
Public Purpose: Access and  
Public Requirements, Rural  
Services, Tourism Purposes  
and Environmental and  
Heritage Conservation  
Notified: 13 June 2008  
File Reference: 15/02227

**SYDNEY METROPOLITAN OFFICE**

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT TO  
SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

**Column 1**

Entertainment Event

**Column 2**

Reserve No 1013848  
Public Purpose: Public  
Recreation, Urban Services  
Notified: 29 June 2007  
File Reference: 15/08223

**TAMWORTH OFFICE**

**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.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Schedule		
Column 1	Column 2	Column 3
Phillip Noel WHITTEN (re-appointment) Anthony Stuart WHEELDON (re-appointment) Stephen Rodney ROWE (re-appointment)	Ogunbil Reserve Trust	Reserve No 47286 Public Purpose: Public Recreation Notified: 20 December 1911 File Reference: TH79R50-003
For a term commencing the date of this notice and expiring 24 September 2020.		

**NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Schedule	
Column 1	Column 2
Grazing	Reserve No 755493 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/04862

**TAREE OFFICE**

**NOTICE OF PURPOSE OTHER THAN THE DECLARED PURPOSE PURSUANT TO SECTION 34A (2) (b) OF THE CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Schedule	
Column 1	Column 2
Stockpile	Reserve No 52808 Public Purpose: Public Recreation, Addition Notified: 17 May 1918 File Reference: 15/04738

Schedule	
Column 1	Column 2
Environmental Rehabilitation	Reserve No 56146 Public Purpose: Generally Notified: 11 May 1923 File Reference: 15/04738 Reserve No 1011268 Public Purpose: Future Public Requirements Notified: 3 February 2006 File Reference: 15/04738

**WAGGA WAGGA OFFICE**

**ROADS ACT 1993**

**ORDER**

Transfer of a Crown Road to a Council

In pursuance of the provisions of section 151, *Roads Act 1993*, the Crown roads specified in Schedule 1 are hereby transferred to the Roads Authority specified in Schedule 2 hereunder, and as from the date of publication of this notice, the roads specified in Schedule 1 cease to be Crown roads.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule 1**

*Parish – Ellerslie; County – Wynyard  
Land District – Wagga Wagga; LGA – Tumut*

Crown road portion known as Bangadang Road. North east of Lot 311 DP 757226

Width to be transferred: whole width

**Schedule 2**

Roads Authority: Tumut Shire Council  
Council's Reference: Bangadang Road  
DPI Reference: 15/08343

**WESTERN REGION OFFICE**

**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.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

Schedule		
Column 1	Column 2	Column 3
Geoffrey Maxwell LAMBERT (re-appointment)	Pooncarie Hospital Reserve Trust	Reserve No 59413 Public Purpose: Hospital Purposes Notified: 24 December 1926 File Reference: 10/06098
Margaret Mary HEALY (re-appointment)		
Matthew John LAMBERT (new member)		
Stephen Craig SMITH (re-appointment)		
Michael Craig SMITH (new member)		
Katie Jane ROBINSON (new member)		
For a term commencing the date of this notice and expiring 24 September 2020.		

**NOTICE OF PURPOSE OTHER THAN  
THE DECLARED PURPOSE PURSUANT  
TO SECTION 34A (2) (b) OF THE  
CROWN LANDS ACT 1989**

Pursuant to section 34A (2) (b) of the *Crown Lands Act 1989*, the Crown reserve(s) specified in Column 2 of the Schedule is to be used or occupied under a relevant interest granted for the purpose(s) specified in Column 1 of the Schedule where such use or occupation is other than the declared purpose of the reserve.

The Hon NIALL BLAIR, MLC  
Minister for Lands and Water

**Schedule**

Column 1	Column 2
Bore; Electricity Supply; Pipeline	Reserve No 64609 Public Purpose: Camping, Access Notified: 22 June 1934 File Reference: 15/08796

Schedule	
Column 1	Column 2
Pump Site; Pipeline	Reserve No 66689 Public Purpose: Travelling Stock Notified: 16 April 1937 File Reference: 15/03636 Reserve No 1013803 Public Purpose: Future Public Requirements Notified: 29 June 2007 File Reference: 15/03636

**Schedule**

Column 1	Column 2
Bore; Electricity Supply	Reserve No 84334 Public Purpose: Generally Notified: 22 March 1963 File Reference: 15/08796 Reserve No 1011268 Public Purpose: Future Public Requirements Notified: 3 February 2006 File Reference: 15/08796

**Schedule**

Column 1	Column 2
Pump Site; Bore; Access	Reserve No 87316 Public Purpose: Travelling Stock Notified: 8 August 1969 File Reference: 15/03852

## Water Notices

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### WATER ACT 1912

#### Lower Namoi Floodplain

An application for approval of controlled works under Part 8 of the *Water Act 1912* within the designated local area has been received as follows:

JEFBURN PTY LIMITED for existing works consisting of an Earthen levy, storage and supply drains near the Namoi River on Lots 246, 247 DP 653933 and Lots 158, 159 DP 757125 on the property "BELAH" for prevention of inundation and water supply.

Any inquiries should be directed to (02) 6763 1471. Written objections from any local occupier or statutory authority to the application specifying the grounds and how their interests are affected, must be lodged with the DPI Water, PO Box 550, Tamworth NSW 2340 within 28 days of the date of publication (90CW811085).

CHRIS BINKS  
Water Regulation Officer  
DPI Water

## Other Government Notices

### ANTI-DISCRIMINATION ACT 1977 EXEMPTION ORDER

Under section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is granted from sections 8 and 51 of the *Anti-Discrimination Act 1977* NSW, to Eurobodalla Shire Council, to identify:

- Two, one-year Aboriginal and Torres Strait Islander Youth Traineeships; and
- Two, two-year school-based traineeships for Aboriginal and Torres Strait Islander high school students.

This exemption will remain in force for periods of 18 months and 2.5 years respectively from the date given.

Dated this 17th day of September 2015

STEPAN KERKYASHARIAN AO  
President  
Anti-Discrimination Board of NSW

### ANTI-DISCRIMINATION ACT 1977 EXEMPTION ORDER

Under section 126 of the *Anti-Discrimination Act 1977* (NSW), an exemption is granted from sections 8 and 51 of the *Anti-Discrimination Act 1977* NSW, to Eurobodalla Shire Council, to allocate and advertise:

- Two, one-year Aboriginal and Torres Strait Islander Youth Traineeships; and
- Two, two-year school-based traineeships for Aboriginal and Torres Strait Islander high school students.

This exemption will remain in force for periods of 18 months and 2.5 years respectively from the date given.

Dated this 17th day of September 2015

ELIZABETH WING  
Acting President  
Anti-Discrimination Board of NSW

### ASSOCIATIONS INCORPORATION ACT 2009

Cancellation of Incorporation Pursuant to Section 76

Take notice that the incorporation of the following associations is cancelled by this notice pursuant to section 76 of the *Associations Incorporation Act 2009*.

BODY PIERCING ASSOCIATION AUSTRALIA INCORPORATED	INC9896341
CONGREGATIONAL CHRISTIAN CHURCH OF SAMOA-CROSSROADS INCORPORATED	INC9889656
DAPTO CHIEFS BASEBALL CLUB INCORPORATED	Y2204111
DAWAH CENTRAL INCORPORATED	INC9889008

FIJI AUSTRALIA ASSOCIATION INCORPORATED	INC9885714
HALLIDAYS POINT BOARDRIDERS CLUB INCORPORATED	INC9877420
THUNDERCAT RACING CLUB – AUSTRALIA INCORPORATED	Y2494702
WILLAWARRIN HALL COMMITTEE INC	Y0291929

Cancellation is effective as at the date of gazettal.

Dated this 25th day of September 2015.

CHRISTINE GOWLAND  
Delegate of the Commissioner  
NSW Fair Trading

### GEOGRAPHICAL NAMES ACT 1966

Notice to Amend Address Locality Boundaries in the  
Kyogle Local Government Area

Pursuant to the provisions of section 10 of the *Geographical Names Act 1966*, the Geographical Names Board hereby notifies that it has on this day amended the address locality boundaries between Bentley and Larnook in the Kyogle Local Government Area as shown on map GNB3778-1.

The position and extent of these features are shown in the Geographical Names Register of New South Wales which can be viewed on the Geographical Names Board's website at [www.gnb.nsw.gov.au](http://www.gnb.nsw.gov.au).

D MOONEY  
Chairman  
Geographical Names Board

### VEXATIOUS PROCEEDINGS ACT 2008

Notification of Orders Concerning Vexatious Litigants

Anthony Gilbert Martin

On 17 September 2015, Justice Carolyn Simpson ordered that:

- (1) That, pursuant to s 8 (7) (a) of the *Vexatious Proceedings Act 2008* (NSW), all of the proceedings in New South Wales already instituted by the defendant be stayed;
- (2) That, pursuant to s 8 (7) (b) of the *Vexatious Proceedings Act 2008*, the defendant be prohibited from instituting proceedings in New South Wales without leave of the Court.

**WORKERS COMPENSATION ACT 1987**

## NOTICE

(Concerning Indexation of WorkCover Death Benefits)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987*, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKERS COMPENSATION ACT 1987</i> s 25 (1) (b)	\$66.60	\$134.30

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKERS COMPENSATION ACT 1987**

## NOTICE

(Concerning Indexation of Weekly Benefits Without Regard to Amendments to Weekly Benefits made by the Workers Compensation Legislation Amendment Act 2012)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987*, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKERS COMPENSATION ACT 1987</i> (without regard to amendments to weekly benefits made by the <i>Workers Compensation Legislation Amendment Act 2012</i> )		
s 35	\$1,000.00	\$2,016.10
s 37 (1) (a) (i)	\$235.20	\$474.20
s 37 (1) (a) (ii)	\$187.10	\$377.20
s 37 (1) (a) (iii)	\$170.00	\$342.70
	\$153.00	\$308.50
s 37 (1) (b)	\$62.00	\$125.00
s 37 (1) (c)	\$44.30	\$89.30
	\$99.10	\$199.80
	\$164.16	\$331.00
	\$230.90	\$465.50
	\$66.60	\$134.30
s 40	\$1,000.00	\$2,016.10
Sched 6, Part 4, clause 7	\$341.30	\$688.10

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKERS COMPENSATION ACT 1987**

## NOTICE

(Concerning Indexation of Weekly Benefits Applying to Amendments made by the Workers Compensation Legislation Amendment Act 2012)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987*, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKERS COMPENSATION ACT 1987</i>		
s 34 (1)	\$1,838.70	\$2,016.10
Sched 6, Part 19H, clause 2 (1)	\$906.25	\$993.70

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKERS' COMPENSATION (DUST DISEASES) ACT 1942**

## NOTICE

(Concerning Indexation of Death Benefits)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987* as applied by section 8 (3) (d) of the *Workers Compensation (Dust Diseases) Act 1942*, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKERS COMPENSATION (DUST DISEASES) ACT 1942</i>		
s 8 (2B) (b) (i)	\$311,050.00	\$335,650.00
s 8 (2B) (b) (ii)	\$137.30	\$276.80
s 8 (2B) (b) (iii)	\$69.40	\$139.90

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKERS COMPENSATION ACT 1987**

## NOTICE

(Concerning Indexation of Benefits Covered by Workers Compensation Act 1926)

The State Insurance Regulatory Authority, pursuant to Schedule 6 of the *Workers Compensation Act 1987*, declares, by this Notice, that each of the adjustable amounts specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKERS COMPENSATION ACT 1987 (re 1926 Act)</i>		
Sched 6, Part 3, clause 2 (2)	\$76,700.00	\$154,650.00
Sched 6, Part 3, clause 2 (3)	\$38.30	\$77.20
Sched 6, Part 4, clause 4 (1) (b) (i)	\$44.80	\$90.30
Sched 6, Part 4, clause 4 (1) (b) (ii)	\$22.50	\$45.40
Sched 6, Part 4, clause 4A (2) (a)	\$196.00	\$395.10
Sched 6, Part 4, clause 4A (2) (b)	\$155.90	\$314.30
Sched 6, Part 4, clause 4A (2) (c)	\$141.60	\$285.50
Sched 6, Part 4, clause 4A (2) (c)	\$127.50	\$257.00

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998**

## NOTICE

(Concerning Indexation of Interim Payment Direction for Payment of Medical Expenses Compensation)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987*, declares, by this Notice, that the adjustable amount specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

Table

Provision Specifying, or providing for, the adjustable amount	Column 1	Column 2
	Adjustable Amount	Adjusted Amount
<i>WORKPLACE INJURY MANAGEMENT AND WORKERS COMPENSATION ACT 1998</i>		
s 297 (2)	\$7,500.00	\$8,693.40

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

**WORKERS COMPENSATION ACT 1987**

NOTICE

(Concerning Indexation of Death Benefits without Regard to Amendments to Death Benefits made by the Workers Compensation Amendment Act 2015)

The State Insurance Regulatory Authority, pursuant to section 82 of the *Workers Compensation Act 1987*, declares, by this Notice, that the adjustable amount specified in Column 1 of the following Table is, on and from **1st October 2015**, to be construed as the adjusted amount specified opposite it in Column 2 of the Table.

**Table**

<b>Provision Specifying, or providing for, the adjustable amount</b>	<b>Column 1</b>	<b>Column 2</b>
	<b>Adjustable Amount</b>	<b>Adjusted Amount</b>
<i>WORKERS COMPENSATION ACT 1987</i> (without regard to amendments to death benefits made by the <i>Workers Compensation Amendment Act 2015</i> ) s 25 (1) (a)	\$425,000.00	\$528,400.00

(Latest Index Number: 263.7)

ANTHONY LEAN  
Chief Executive  
State Insurance Regulatory Authority

## COUNCIL NOTICES

### BATHURST REGIONAL COUNCIL

ROADS ACT 1993  
Section 10

Dedication of Land as a Public Road

Notice is hereby given that in accordance with section 10 of the *Roads Act 1993*, the land described in the Schedule below is dedicated as a Public Road.

DAVID SHERLEY, General Manager, Bathurst Regional Council, Private Mail Bag 17, Bathurst NSW 2795

#### Schedule

Lots 91, 94, 96, 98, 100, 102, 105 and 106 in DP 1174100 being land situated on Hill End Road, Hill End. [8158]

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### BATHURST REGIONAL COUNCIL

ROADS ACT 1993  
Section 10

Dedication of Land as a Public Road

Notice is hereby given that in accordance with section 10 of the *Roads Act 1993*, the land described in the Schedule below is dedicated as a Public Road.

DAVID SHERLEY, General Manager, Bathurst Regional Council, Private Mail Bag 17, Bathurst NSW 2795

#### Schedule

Lot 299 in DP 1192298; Lot 7034 in DP 1114692; and Lot 7035 in DP 1114692 being land situated on Panorama Avenue, Mt Panorama. [8159]

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### BEGA VALLEY SHIRE COUNCIL

ROADS ACT 1993

Dedication of Land as Public Road

Notice is hereby given that in accordance with section 10 of the *Roads Act 1993*, the land described in the Schedule below is dedicated as a Public Road.

LEANNE BARNES, General Manager, Bega Valley Shire Council, PO Box 492, Bega NSW 2550

#### Schedule

All that piece of parcel of land known as Lot 240 DP 1193514 in the Bega Valley, Parish of Bimmil, County of Auckland and described in Folio Identifier 240/1193514. [8160]

### BELLINGEN SHIRE COUNCIL

ROADS REGULATION 2008

Naming of Road

Notice is hereby given pursuant to clause 9 of the *Roads Regulation 2008* that Council has named the section of road described hereunder:

Bennett Road

The subject road intersects Old Brierfield Road in the locality of Fernmount.

Authorised by a Council Resolution No: 09.027/07 of 1 May 2007.

Date: 23 July 2015

LIZ JEREMY, General Manager, Bellingen Shire Council, PO Box 117, Bellingen NSW 2454 [8161]

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### GUNNEDAH SHIRE COUNCIL

ROADS ACT 1993  
Section 162

ROADS REGULATION 2008  
Part 2, Division 2

Notice is hereby given in accordance with the above that the roads created in the subdivision of Lot 100 DP 1194767, Lots 599 & 609 DP 755503 and Lot 25 DP 1187004, 85-113 Links Road, Gunnedah, be named "Siffleet Terrace" and "Parish Avenue". The subject roads are a cul-de-sac which extends from Links Road, Gunnedah and a through road extending from the cul-de-sac to Wattle Street, Gunnedah.

One objection to the proposed name was received during the required 28 day exhibition period.

E GROTH, General Manager, Gunnedah Shire Council, PO Box 63, Gunnedah NSW 2340 [8162]

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### HURSTVILLE CITY COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Hurstville City Council declares with the approval of His Excellency the Governor that the lands described in Schedule 1 below, excluding the interests described in Schedule 2 below and excluding only those mines or deposits of minerals in the land expressly reserved to the Crown, are acquired by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991* for community land between the areas of Hurstville City Council and the City of Canterbury local government areas.

Dated at Hurstville this 17th day of September 2015.

L O'CONNOR, Acting General Manager

**Schedule 1**

Lot 843 DP 13705  
 Lot 844 DP 13705  
 Lot 11 DP 1076996  
 Lot 26 DP 1076996  
 Lot 27 DP 1076996

**Schedule 2**

H785985 Caveat by the Registrar General over Lot 843 DP 13705  
 H379184 Caveat by the Registrar General over Lot 844 DP 13705 and Lots 11, 26 and 27 DP 1076996 [8163]

**KEMPSEY SHIRE COUNCIL**

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Kempsey Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

<b>Name</b>	<b>Locality</b>
FERRIER DRIVE	Yarravel

**Description**

Public road approximately 1370 metres in length off Armidale Road, Yarravel. Road is currently known as Hillview Drive (West End) however due to recent development, the road will never be linked to Hillview Drive, Aldavilla and therefore requires renaming to avoid confusion.

DAVID RAWLINGS, General Manager, Kempsey Shire Council, 22 Tozer Street, West Kempsey 2440  
 GNB Ref: 0079 [8164]

**KEMPSEY SHIRE COUNCIL**

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Kempsey Shire Council declares with the approval of His 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 a public road.

Dated at Kempsey this 22nd day of September 2015.

DAVID RAWLINGS, General Manager

**Schedule**

Lot 12 DP 1203593 [8165]

**KYOGLE COUNCIL**

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Kyogle Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

<b>Name</b>	<b>Locality</b>
BUNDALEA COURT	Geneva

**Description**

This is a new road which has occurred due to a pending subdivision of Lot 11 DP 792536. Kyogle Council's Development Application number is 2012/34

JEFF BREEN, Executive Manager Infrastructure Works, Kyogle Council, PO Box 117, Kyogle 2474  
 GNB Ref: 0080 [8166]

**LAKE MACQUARIE CITY COUNCIL**

ROADS ACT 1993

Section 10

Notice of Dedication of Land as Public Road

Notice is hereby given that Lake Macquarie City Council dedicates the land described in the Schedule below as public road under section 10 of the *Roads Act 1993*.

BRIAN BELL, General Manager, Lake Macquarie City Council, Box 1906, HRMC NSW 2310

**Schedule**

All that piece or parcel of land known as Lot 1 in Deposited Plan 348217 at Belmont Parish of Kahibah, County of Northumberland and as described in Folio Identifier 1/348217

All that piece or parcel of land known as Lot 1 in Deposited Plan 202667 at Redhead Parish of Kahibah, County of Northumberland and as described in Folio Identifier 1/202667

All that piece or parcel of land known as Lot 2 in Deposited Plan 362239 at Speers Point Parish of Kahibah, County of Northumberland and as described in Folio Identifier 2/362239 [8167]

**LIVERPOOL CITY COUNCIL**

ROADS ACT 1993

Naming of Public Roads

ERRATUM

In the notice published in *NSW Government Gazette* No 49 of 22 April 2005, p 1525, for the suburb of Middleton Grange:

“Bonney Flight Circuit” should be spelt “Flight Circuit”

C WULFF, Chief Executive Officer, Liverpool City Council, Locked Bag 7064, Liverpool BC NSW 1871 [8168]

**MIDCOAST COUNTY COUNCIL**

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

MidCoast County Council declares with the approval of His Excellency the Governor that the easement described in Schedule 1 below, excluding the interest described in Schedule 2 below and excluding any mines or deposits of minerals in the easement is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for an easement for drainage of water 5 wide.

Dated at Forster this 25th day of September 2015

BRENDAN GUINEY, Acting General Manager

**Schedule 1**

Easement for drainage of water 5 wide over Lot 7036 DP 1067278, Lot 7038 DP 1066318 and Lot 7316 DP 1154615 shown as "A" in DP 1170050

**Schedule 2**

Notification in Government Gazette dated 26.9.1980 FOL 5066 easement for drain water as set out in Memorandum S127086 affecting the part of the land above described see DP 40984. [8169]

**NARRABRI SHIRE COUNCIL**

ROADS ACT 1993

Section 10

Notice of Dedication of Land as a Public Road

Notice is hereby given that pursuant to section 10 of the *Roads Act 1993*, Narrabri Shire Council hereby dedicates the land described in the Schedule below as public road.

**Schedule**

Lots 3 & 4 in DP 847951, Parish of Cooma, County of White.

STEWART TODD, General Manager, Narrabri Shire Council, PO Box 261, Narrabri NSW 2390 [8170]

**PORT STEPHENS COUNCIL**

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Port Stephens Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

<b>Name</b>	<b>Locality</b>
URALLA STREET	Fern Bay

**Description**  
New subdivision at Fern Bay generally East of Seaside Boulevard and North of Norfolk Street

<b>Name</b>	<b>Locality</b>
WINDSURF CIRCUIT	Fern Bay

**Description**  
New road within new subdivision east off Seaside Boulevard

<b>Name</b>	<b>Locality</b>
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SEASIDE BOULEVARD	Fern Bay
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**Description**  
Extension of already constructed Seaside Boulevard generally to the north and north west

<b>Name</b>	<b>Locality</b>
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SANDCASTLE STREET	Fern Bay
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**Description**  
Street within new subdivision generally north to north west from already constructed Norfolk Street through to already constructed Dune Drive

<b>Name</b>	<b>Locality</b>
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ROSEMARY STREET	Fern Bay
-----------------	----------

**Description**  
Street within new subdivision runs between extension of Seaside Boulevard north to newly named Apple street

<b>Name</b>	<b>Locality</b>
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FOXTAIL STREET	Fern Bay
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**Description**  
Street within new subdivision runs between extension of Seaside Boulevard north to extension of Norfolk Street

<b>Name</b>	<b>Locality</b>
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FIN STREET	Fern Bay
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**Description**  
Street within new subdivision generally east off extension of Norfolk Street through to newly named Apple Street

<b>Name</b>	<b>Locality</b>
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APPLE STREET	Fern Bay
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**Description**  
Street within new stage of Fern Bay development off Norfolk Street

WAYNE WALLIS, General Manager, Port Stephens Council, 116 Adelaide Street, Raymond Terrace 2324 Council Ref: PSC2011-03256

GNB Ref: 0081 [8171]

**PORT STEPHENS COUNCIL**

ROADS ACT 1993

Naming of Roads

Notice is hereby given that Port Stephens Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

<b>Name</b>	<b>Locality</b>
BRIGID ROAD	Raymond Terrace

**Description**  
New road generally north, north east from Rees James Road part of new subdivision

WAYNE WALLIS, General Manager, Port Stephens Council, 116 Adelaide Street, Raymond Terrace 2324 Council Ref: PSC2015-01789

GNB Ref: 0082 [8172]

**THE HILLS SHIRE COUNCIL**

ROADS ACT 1993  
Section 10

Notice is hereby given that The Hills Shire Council dedicates the land described in the schedule below as public road under section 10 of the *Roads Act 1993*.

General Manager, The Hills Shire Council, 3 Columbia Court, Baulkham Hills NSW 2153

**Schedule**

All that piece or parcel of land known as Lot 318 in DP 1164076 in The Hills Shire Council, Parish of Castle Hill, County of Cumberland, and as described in Folio Identifier 318/1164076 [8173]

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**WOLLONDILLY SHIRE COUNCIL**

ROADS ACT 1993  
Naming of Roads

Notice is hereby given that Wollondilly Shire Council, pursuant to section 162 of the *Roads Act 1993*, has officially named the road(s) as shown hereunder:

<b>Name</b>	<b>Locality</b>
WOODLANDS WAY	Orangeville

**Description**

This private unnamed road in a private estate comes off Nectarbrook Drive Orangeville NSW. The road is also approximately 964 metres long.

LUKE JOHNSON, General Manager, Wollondilly Shire Council, 62–64, Menangle St, Picton NSW 2571  
GNB Ref: 0077 [8174]

**WOLLONGONG CITY COUNCIL**

ROADS ACT 1993

LAND ACQUISITION (JUST TERMS  
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Wollongong City Council declares that by Deed of Agreement, the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process by agreement in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, for a public road.

Dated at Wollongong, this 17th day of September 2015.

KYLEE COWGILL, Public Officer, Wollongong City Council, 41 Burelli Street, Wollongong NSW 2500.

**Schedule**

Lot 103 DP 1207784 Cordeaux Road, Mount Kembla

[8175]

# PRIVATE ADVERTISEMENTS

## ESSENTIAL ENERGY

ELECTRICITY SUPPLY ACT 1995

LAND ACQUISITION (JUST TERMS COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Easement for Electricity Purposes at Failford

Essential Energy declares, with the approval of His Excellency the Governor, with the advice of the Executive Council, that the Interest in Land described in Schedule 1 to this notice the terms of which are described in Schedule 2 of this notice, is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*, for the purposes of the *Electricity Supply Act 1995*.

Dated at Port Macquarie this 25th day of September 2015.

CAROLINE HUNGERFORD, General Manager Customer & Corporate Services, Essential Energy, PO Box 5730, Port Macquarie NSW 2444

### Schedule 1

No	Interest in Land	Locality	LGA	Parish	County
1	Easement for transmission lines 30 wide, 60 wide and variable width affecting Crown Road south of Lot 19 DP 753146 shown as "(A) Proposed easement for transmission lines 30 wide, 60 wide & variable width" in DP 1170414	Failford	Greater Taree	Beryan	Gloucester

### Schedule 2

The easement for transmission lines described in Schedule 1 is on the terms set out in Memorandum No AH131199 registered on the Register held under the *Real Property Act 1900*. [8176]