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NATIONAL PARKS AND WILDLIFE ACT 1974

**REVOCATION OF THE PROCLAMATION OF
THE MILLINCOWBAH WILDLIFE REFUGE**

I, the Honourable Margaret Beazley AC KC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the *National Parks and Wildlife Act 1974*, do, by this my Proclamation revoke the Proclamation declaring the land described below as a wildlife refuge known as **Millincowbah Wildlife Refuge**, notified in Government Gazette No. 6 of 17 January 1969.

SIGNED and SEALED at Sydney this 7th day of June 2023

MARGARET BEAZLEY
Governor
By Her Excellency's Command

The Hon. Penny Sharpe MLC
Minister for the Environment

GOD SAVE THE KING!

Description

Council – Walgett Shire

Approximately 3,338.7 hectares, being Lot 3601 DP 765953 and Lot 4120 DP 766625.
BCT DOC23/9223

NATIONAL PARKS AND WILDLIFE ACT 1974

**REVOCATION OF THE PROCLAMATION OF
THE HABNAREY WILDLIFE REFUGE**

I, the Honourable Margaret Beazley AC KC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the *National Parks and Wildlife Act 1974*, do, by this my Proclamation revoke the Proclamations declaring the land described below as a wildlife refuge known as **Habnarey Wildlife Refuge, Habnarey Wildlife Refuge – Extension No.1** and **Habnarey Wildlife Refuge – Extension No.2** notified in Government Gazette No. 6 of 17 January 1969.

SIGNED and SEALED at Sydney this 7th day of June 2023

MARGARET BEAZLEY
Governor
By Her Excellency's Command

The Hon. Penny Sharpe MLC
Minister for the Environment

GOD SAVE THE KING!

Description

Council – Walgett Shire

Approximately 13,431.9 hectares, being Lots 6223 and 6224 DP 769077, Lot 6227 DP 769079, Lots 6534 and 6535 DP 765018, Lot 3188 DP 765393 and Lot 6235 DP 769089.
BCT DOC23/92237

NATIONAL PARKS AND WILDLIFE ACT 1974

**REVOCATION OF THE PROCLAMATION OF
THE YAMBALLA WILDLIFE REFUGE**

I, the Honourable Margaret Beazley AC KC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the *National Parks and Wildlife Act 1974*, do, by this my Proclamation revoke the Proclamation declaring the land described below as a wildlife refuge known as **Yamballa Wildlife Refuge**, notified in Government Gazette No. 6 of 17 January 1969.

SIGNED and SEALED at Sydney this 7th day of June 2023

MARGARET BEAZLEY
Governor
By Her Excellency's Command

The Hon. Penny Sharpe MLC
Minister for the Environment

GOD SAVE THE KING!

Description

Council – Walgett Shire

Approximately 2,969.8 hectares, being Lot 3599 DP 765951.
BCT DOC23/9223

NATIONAL PARKS AND WILDLIFE ACT 1974

**REVOCATION OF THE PROCLAMATION OF
THE BIJERKERO WILDLIFE REFUGE**

I, the Honourable Margaret Beazley AC KC, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the powers vested in me under section 68 of the *National Parks and Wildlife Act 1974*, do, by this my Proclamation revoke the Proclamation declaring the land described below as a wildlife refuge known as **Bijerkerno Wildlife Refuge**, notified in Government Gazette No. 84 of 30 June 2006.

SIGNED and SEALED at Sydney this 7th day of June 2023

MARGARET BEAZLEY
Governor
By Her Excellency's Command

The Hon. Penny Sharpe MLC
Minister for the Environment

GOD SAVE THE KING!

Description

Council – Unincorporated

Approximately 74,568 hectares, being Lot 4881 DP 43255, Lot 2 DP 1221587 and Lot 6837 DP 46713.
BCT DOC23/92237

Declaration of significantly contaminated land



Section 11 of the *Contaminated Land Management Act 1997*

Declaration No. 20231101; Area No. 3524

The Environment Protection Authority (EPA) declares the following land to be significantly contaminated land under s 11 of the *Contaminated Land Management Act 1997* (Act).

Land to which this Declaration applies

1. This Declaration applies to significantly contaminated land described as 82 Benjamin Lee Drive (Lot 21 DP850074) and 76-86 Benjamin Lee Drive (SP 50019), Raymond Terrace (the Land).
2. A map of the Land is attached to this Declaration.

Significant Contaminants affecting the Land

3. The EPA has reason to believe that the Land is contaminated with the following substances (Significant Contaminants) in such a way as to warrant regulation as significantly contaminated land under the Act:
 - (i) Petroleum hydrocarbons including total recoverable hydrocarbons (TRH) and benzene, toluene, ethylbenzene, xylenes and naphthalene (BTEXN).

Nature of harm caused, or that may be caused, by the Significant Contaminants

4. The EPA has reason to believe harm has been caused, or may be caused, by the Significant Contaminants, because:
 - (i) Degradation of soil and groundwater beneath the Land has resulted from historical service station operations on Lot 21 DP850074; and
 - (ii) Potential harm may be caused to human health through inhalation and direct contact, and to the environment through migration of contamination to sensitive ecological receptors.

Matters considered before declaring the Land to be significantly contaminated land

5. Before making this Declaration, the EPA has considered relevant guidelines and each of the matters listed in s 12(1) of the Act with respect to the Significant Contaminants that the EPA believes cause the Land to be contaminated.
6. The EPA believes that the Land is contaminated, and that the contamination is significant enough to warrant regulation under the Act for the following reasons:
 - (i) Soil, groundwater, and soil vapour are contaminated with petroleum hydrocarbons at concentrations that exceed both health screening levels for commercial / industrial, and residential land uses, and ecological groundwater investigation levels.
 - (ii) Groundwater concentrations remain above solubility limits, indicating that an ongoing source of groundwater contamination remains.

- (iii) Contamination has extended beyond the former service station, and a likely scenario is that as the plume moves it may pose a vapour intrusion risk to shopkeepers and customers immediately to the north.
- (iv) The full extent of the contamination has not been characterised.
- (v) Further investigations are needed to determine the full extent of unacceptable on and off-site human health risks through vapour intrusion, direct contact and / or ingestion; and to assess if there are any unacceptable risks to ecological receptors through continued migration of contamination.
- (vi) Clean-up of contamination will be necessary.

Further action to carry out voluntary management under the Act

- 7. The making of this Declaration does not prevent the carrying out of voluntary management of the Land by any person. Any person may submit a Voluntary Management Proposal for the Land to the EPA.

Submissions invited

- 8. Any person may make a written submission to the EPA on:
 - whether the EPA should issue a management order in relation to the Land; or
 - any other matter concerning the Land.
- 9. Submissions should be made in writing and sent to:
 - Email info@epa.nsw.gov.au and sarah.dorward@epa.nsw.gov.au
- 10. Submissions should be made by no later than 21 days after the date of this Declaration.
- 11. Information on contaminated land management can be found on the EPA's website at: www.epa.nsw.gov.au/your-environment/contaminated-land



DAVID GATHERCOLE
Director Regulatory Operations Metro North
Regulatory Operations Metropolitan
(by delegation)

Date of this Declaration: 19 May 2023

Further information about this Declaration

Management Order may follow

If management of the Land or part of the Land is required, the EPA may issue a Management Order under s 14 of the Act.

Amendment or Repeal

This declaration may be amended or repealed. It remains in force until it is otherwise amended or repealed. The subsequent declaration must state the reasons for the amendment or repeal (s 44 of the Act).

Information recorded by the EPA

Section 58 of the Act requires the EPA to maintain a public record. A copy of this significantly contaminated land declaration will be included in the public record and is available for access at the principal office of the EPA and on the EPA's website.

Information recorded by Councils

Section 59(a) of the Act requires the EPA to inform the relevant local Council as soon as practicable of this Declaration. Pursuant to s 59(2)(a) of the Act, land being declared to be significantly contaminated land is a prescribed matter to be specified in a planning certificate issued pursuant to s 10.7 of the *Environmental Planning and Assessment Act 1979*. The EPA is also required to inform the relevant Council as soon as practicable when the declaration is no longer in force. Pursuant to s 59(3) of the *Contaminated Land Management Act 1997*, if a Council includes advice in a planning certificate regarding a declaration of significantly contaminated land that is no longer in force, the Council is to make it clear on the planning certificate that the declaration no longer applies.

Relationship to other regulatory instruments

This Declaration does not affect the provisions of any relevant environmental planning instruments which apply to the land or provisions of any other environmental protection legislation administered by the EPA.

The Land to which this Declaration applies is shown in the below image and is shaded yellow and bounded by red. The Land is identified as Lot 21 in DP850074 and SP50019. The original image was sourced from <https://maps.six.nsw.gov.au> and has been adapted by the NSW EPA.

