



## Description of Form

This form is to be used to give notice of alleged invalidity of a lease, licence or permit in respect of, or an easement or right-of-way, over a Crown reserve under Section 35A of the Crown Lands Act 1989. Only one alleged invalid secondary interest per Crown reserve is permitted on this form.

## Important Information

The Act enables the Minister to grant a lease, licence or permit in respect of, or an easement or right-of-way, over a Crown reserve for a purpose other than the reserve purpose so long as the Minister is satisfied that the occupation of the reserve is in the public interest and is not likely to materially harm its use or occupation for the underlying reserve purpose.

The validity of a lease, licence or permit in respect of, or an easement or right-of-way over, a Crown reserve cannot be questioned in legal proceedings unless a party to the proceedings has given the Minister the prescribed period of notice of the alleged invalidity using this form.

The following notice periods apply:

- 6 months - for a lease, licence or permit in respect of, or an easement or right-of-way granted before 27 November 2013
- 3 months - for a lease, licence or permit in respect of, or an easement or right-of-way granted on or after 27 November 2013

If the Department of Industry - Lands (the Department) is unable to identify the reserve and/or secondary interest from the details you have provided, the Department will deem the notification as invalid. The Department will normally send notification to the applicant in writing within 5 business days of receipt of the notice should the notice be deemed to be invalid.

## How to serve this notice

This notice can only be served via the following methods:

### **By email**

Notice of Alleged Invalidity of Secondary Interest  
[enquiries@crowmland.nsw.gov.au](mailto:enquiries@crowmland.nsw.gov.au)

Note: The notice will be served if it is sent by email to the nominated email address above, unless it is not received.

### **Registered post**

Notice of Alleged Invalidity of Secondary Interest  
Department of Industry – Lands  
PO Box 2185  
DANGAR NSW 2309

## Contact Us

Department of Industry – Lands  
PO Box 2185  
DANGAR NSW 2309

T: 1300 886 235 (Australia wide)

F: 02 4925 3517

E: [enquiries@crowmland.nsw.gov.au](mailto:enquiries@crowmland.nsw.gov.au)

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

### **Privacy statement**

The personal information you provide on this form is subject to the Privacy & Personal Information Protection Act 1989. It is being collected by NSW Department of Industry, Skills and Regional Development and will be used for purposes related to this notice. NSW Department of Industry, Skills and Regional Development will not disclose your personal information to anybody else unless authorised by law. The provision of this information is voluntary or required to be supplied. If you choose not to provide the requested information we may not be able to process your notification. You have the right to request access to, and correct details of, your personal information held by the department. Further information regarding privacy can be obtained from the NSW Department of Industry, Skills and Regional Development website at [www.industry.nsw.gov.au/legal/privacy](http://www.industry.nsw.gov.au/legal/privacy)



In relation to the harm(s) identified above, please describe how these are materially harming the use or occupation of the Crown reserve for the reserve purpose with regard to the following:

- a) The area impacted by the secondary interest
- b) The frequency and duration of impacts arising from the activities of the secondary interest
- c) The long term or permanent nature of the harm
- d) The condition of the reserve
- e) The geographical, environmental and social context of the reserve.
- f) Other

When did the alleged invalid use or occupation occur? (please include dates if known)

Do you consider the alleged invalid use or occupation to be in the public interest?

- Yes
- No. If no, provide reasons why it is alleged not to be in the public interest?

## Declaration

I			
declare that:			
<ul style="list-style-type: none"><li>The details supplied on this form and any supporting documents attached are true and correct to the best of my knowledge</li><li>I am over 18 years of age</li></ul>			
Signature		Date	

## Supporting documentation checklist

Supporting documentation has been included with this notice

## Lodgement

- Mail to Department of Industry – Lands, PO Box 2185 DANGAR NSW 2309
- Email to [enquires@crownlands.nsw.gov.au](mailto:enquires@crownlands.nsw.gov.au)

Office use only – Refer to the Receipting and Referrals Codes Document				
<input type="checkbox"/> Business Projects Team	Code		Account Number	
TRIM	Checked by		Date	