
Preliminary Contamination Assessment

4029-4045 Nelson Bay
Road, Bobs Farm NSW

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2 November 2022



Document control record

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Executive Summary

Qualtest Laboratory NSW Pty Ltd (Qualtest) has carried out a Preliminary Contamination Assessment (PCA) on behalf of Hometown Australia Holdings, for the site located at 4029 – 4045 Nelson Bay Road, Bobs Farm, NSW (the Site).

The site is located at Lot 3622 DP622485 and Lot 2 D622229 and is about 4.15ha in area. The site is currently zoned RU2 Rural Landscape. The site is proposed to be rezoned to extend the existing Sunrise Lifestyle Village located to the east of the site.

It is understood that the PCA will be submitted to Port Stephens Council (Council) as part of the proposed rezoning application.

The objectives of the PCA were to provide an assessment of the likelihood for contamination to be present on the site from past uses and activities, and provide recommendations on the need for further assessment (if required).

In order to achieve the above objective, Qualtest carried out the following scope:

- Desktop study and site history review;
- Site walkover; and
- Data assessment and preparation of a Preliminary Contamination Assessment Report.

The site history indicates that prior to the 1960's the site consisted of vacant bushland. The eastern portion of the site was potentially used for residential/farming purposes in the mid 1960's, prior to sand mining being carried out across the majority of the site in the late 1960's early 1970's. Following sand mining the site has been used for residential purposes. A commercial shed has also been present in the central north of the site since 2015.

Materials and equipment are stored in and around onsite sheds and dwellings, and areas of fill and fill stockpiles were also observed across the site. Buildings constructed of potential ACM were observed on the site, including the eaves of the residential dwelling at 4029 Nelson Bay Road and/or cladding of the residential dwelling at 4045 Nelson Bay Road.

Five Areas of Environmental Concern (AECs) were identified based on the site history and site observations. The AECs related to:

1. Current and former buildings across the site - Weathering of potentially hazardous materials (asbestos, lead paint, galvanised metals); Use of pesticides around buildings; Demolition of structures over time.
2. Filling and stockpiling on the site - Potential use of imported fill of unknown quality and origin.
3. Storage of equipment/waste materials across the site. Stored timber, bricks, metals, plastics, tyres, wood, fibreglass fridge, trailers and small quantities of paints, fuels, degreasers.
4. Septic tank located in centre of the site - Septic tank soak aways and adsorption trenches, potential leaks of effluent.
5. Sand Mining - Former sand mining carried out in the north and eastern portion of the site; Processing of ore and placement of slimes; Use and storage of machinery and equipment during mining works.

The Preliminary Conceptual Site Model (CSM) indicated that there was a potential for soil, surface water and groundwater contamination to exist on the site and potentially complete exposure pathways could exist to current and future site users and the environment.

Based on the above, it is recommended that a Detailed Contamination Assessment (DCA), comprising intrusive investigations in the AECs identified be carried out. Given the age of the buildings on site it is also recommended that a Hazardous Materials Survey (HMS) is carried out by a suitably qualified consultant, prior to refurbishment and/or demolition of the structures. The former sand mining areas will require a radiation survey and possible soil sampling to assess the risk posed from NORM.

It is recommended that the DCA, HMS and radiation survey be carried out to inform the future development application, however for the purpose of the rezoning it is likely that the site could be made suitable, as the recommended additional assessments would unlikely identify contamination that would preclude the site being developed for the proposed use (i.e. was not able to be remediated or managed using conventional techniques).

This report was prepared in general accordance with the relevant sections of the NSW EPA (2020) Guidelines for Consultants Reporting on Contaminated Land and the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013)*, NEPC 2013, Canberra (referred to as ASC NEPM 2013). The report comprises a Preliminary Contamination Assessment in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, Stage 1 assessment.

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1.0 Introduction

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The site is located at Lot 3622 DP622485 and Lot 2 D622229 and is about 4.15ha in area. The site is currently zoned RU2 Rural Landscape. The site is proposed to be rezoned to extend the existing Sunrise Lifestyle Village located to the east of the site.

It is understood that the PCA will be submitted to Port Stephens Council (Council) as part of the proposed rezoning application.

This report was prepared in general accordance with the relevant sections of the NSW EPA (2020) Guidelines for Consultants Reporting on Contaminated Land and the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013)*, NEPC 2013, Canberra (referred to as ASC NEPM 2013). This report comprises a stage 1 preliminary site investigation as described by State Environmental Planning Policy (Resilience and Hazards) 2021 Chapter 4.

1.1 Objectives

The objectives of the PCA were to provide an assessment of the likelihood for contamination to be present on the site from past uses and activities, and provide recommendations on the need for further assessment (if required).

1.2 Scope of Works

In order to achieve the above objective, Qualtest carried out the following scope:

- Desktop study and site history review;
- Site walkover; and
- Data assessment and preparation of a Preliminary Contamination Assessment Report.

2.0 Site Description

2.1 Site Identification

General site information is provided below in Table 2.1. The site location is shown in Figure 1, Appendix A.

Table 2.1: Summary of Site Details

| | |
|---|--|
| Site Address: | 4029 – 4045 Nelson Bay Road, Bobs Farm |
| Approximate site area and dimensions: | Approx. 4.15 ha Approx. 345m wide (east to west) by 180m long (north to south) at its widest and longest points |
| Title Identification Details: | Lot 3622 DP622485 and Lot 2 D622229 are within the Port Stephens local government area, Parish of Tomaree, County of Gloucester |
| Current Zoning | RU2 Rural Landscape |
| Current Ownership: | Private Individuals |
| Current Occupier: | Residential Landuse |
| Previous and Current Landuse: | Sand Mining/Residential Landuse |
| Proposed Landuse: | Proposed to be rezoned to extend the Sunrise Lifestyle Village |
| Adjoining Site Uses: | North – Trotter Road, followed by rural residential East – Trotter Road, followed by Nelson Bay Road, rural residential and bushland South – Nelson Bay Road, followed by Bushland West – Residential (Sunrise Lifestyle Village) |
| Site Coordinates for approx. centre of site: | 32°46'7.00 S 152°2'28.81 E |

2.2 Topography and Drainage

Reference to the NSW Land and Property Information Spatial Information Exchange website (<https://six.nsw.gov.au/wps/portal/>) indicated the elevation of the site was less than 10m AHD.

The site surface was generally flat. Rain falling on the site would be expected to infiltrate into the sandy site soils. Excess surface water may flow offsite to the north into an unnamed swamp, located approximately 200m north of the site. The swamp forms part of Bobs Farm Creek, located approximately 800m north of the site. Bobs Farm Creek flows into Tiligerry Creek, located approximately 2.2km north of the site.

2.3 Regional Geology

The 1:100,000 Nelson Bay Coastal Quaternary Geological Maps indicates that the site is underlain Holocene back barrier flat: marine sand, silt, clay, gravel, shell. Some parts of the site maybe overlain with aeolian wind derived sand dunes.

2.4 Hydrogeology

Groundwater beneath the site is anticipated to be present in an unconfined aquifer within marine and aeolian sands at depths greater than 2m below ground surface (bgs).

Groundwater flow direction is anticipated to flow to the north north-east discharging to either Bobs Farm Creek, located approximately 800m north of the site or Tiligerry Creek, located approximately 2.2km north of the site. Tiligerry Creek flows into Port Stephens about 4.5km to the north east.

It should be noted that groundwater conditions can vary due to rainfall and other influences including regional groundwater flow, temperature, permeability, recharge areas, surface condition, and subsoil drainage.

A search of the NSW Department of Primary Industries (Office of Water) registered groundwater bores located within a 500m radius of the site was undertaken. The search revealed that there was one bore within this radius. A copy of the search is provided in Appendix B.

Table 2.1 – Groundwater Bore Search

| Bore ID | Installation Date | Purpose | Approx. Distance and Gradient from the site | Water Bearing Zones |
|----------|-------------------|------------|---|---------------------|
| GW080273 | 06/08/2002 | Irrigation | 120m north east of the site | - |

2.5 Acid Sulfate Soils

Reference to the Acid Sulfate Soil online database from State of NSW and Department of Planning, Industry and Environment, 2021 (espade.environment.nsw.gov.au) indicates that the site is located in an area of low probability of ASS >3m below ground surface (bgs). It is noted that an area located approximately 80m to the north from the north boundary of the site is located within an area of high probability of ASS <1m bgs.

The Port Stephens Local Environmental Plan (LEP) 2013 maps the site as Class 4 ASS which requires development consent and an ASS Management Plan (ASSMP) for “Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.”

Qualtest carried out a Preliminary Acid Sulfate soil assessment on the site in October 2022, refer to NEW22P-0199-AB, dated 1 November 2022.

As part of the ASS assessment, two boreholes were drilled to 2.0m bgs in the north western and north eastern portions of the site. The results of the ASS assessment indicated that ASS were not considered to be present in the soils to the depth investigated (2.0m) based on field observations and results of the laboratory analysis.

The field screening indicated that ASS were unlikely to be present. This was confirmed by the results of the laboratory testing which showed concentrations of net acidity, and Chromium Reducible Sulfur below the action criteria in each sample tested.

Based on the results of the assessment, an ASS Management Plan is not required for excavation to 2.0m bgs. It is noted that ASS may be present in soils deeper than 2.0m. If deeper excavations are proposed, further assessment at depth would be required.

3.0 Site History Review

A site history review was undertaken as part of the PCA, and included:

- A review of historical ownership of the site (Lot 3622 DP622485 and Lot 2 DP622229);
- A review of aerial photography from the past 68 years;
- A review of Section 10.7 Certificate for Lot 3622 DP622485 from Port Stephens Council;
- Search of the NSW EPA's list of contaminated sites relevant to the site and nearby properties;
- Interview with the current site owner of 4029 Nelson Bay Road; and
- A site walkover to help identify current and previous activities carried out on the site, identify surrounding land uses, and assess Areas of Environmental Concern (AECs) and Chemicals of Potential Concern (COPCs).

The information provided from the above reviews is summarised in the sections below.

3.1 Historical Titles Search

A search of historical titles for the site was undertaken by Advanced Legal Searchers Pty Ltd. A list of past registered proprietors dating back to 1953 was obtained. The results of the search are included in Appendix C and a summary is presented below in Tables 3.1.1 and 3.1.2.

Table 3.1.1: Summary of Historical Titles – 4029 Nelson Bay Road (Lot 3622 DP622485)

| Date | Owner |
|-----------------------|---|
| 14 Sep 1982 – to date | William Frederick Robinson |
| 26 Oct 1981 | Alma Joan Chapman |
| 17 May 1976 | Ross Reginald Chapman, business proprietor Alma Joan Chapman, his wife |
| 09 Oct 1967 | Alma Joan Chapman, married women |
| 20 May 1958 | Donald Frederick Robinson, farmer |
| 04 Dec 1953 | Nellie May Robinson, widow / grantee |
| Prior to 04 Dec 1953 | Crown Land |

Table 3.1.2: Summary of Historical Titles – 4045 Nelson Bay Road (Lot 2 DP622229)

| Date | Owner |
|-----------------------|--------------------------------------|
| 24 Oct 2018 – to date | David John Slack Lisa Jayne Slack |
| 24 Feb 1986 | Mark Stephen Barrett |
| 19 Jun 1984 | Margot Riessbeck |
| 30 Nov 1976 | Henry Reissbeck, garage proprietor |
| 09 Oct 1967 | Alma Joan Chapman, married women |

| Date | Owner |
|----------------------|--------------------------------------|
| 20 May 1958 | Donald Frederick Robinson, farmer |
| 04 Dec 1953 | Nellie May Robinson, widow / grantee |
| Prior to 04 Dec 1953 | Crown Land |

The historical title search indicated that the site has been owned by private individuals (business proprietor, married women, farmer, garage proprietor) from 1953 to present day. Prior to 1953 the site was crown land. The current site owners of Lot 3622 purchased the site in 1982. The current site owners of Lot 2 purchased the site in 2018.

3.2 Aerial Photograph Review

Aerial photographs of the site from 1954, 1965, 1975, 1986, 1992 and 2001 were obtained from the NSW Government Spatial Portal (<https://portal.spatial.nsw.gov.au/>), and satellite images from Near Maps for 2010 and 2022, were assessed by a Qualtest Environmental Scientist. The results of the aerial photograph review are summarised below in Table 3.2. The aerial photographs are presented in Appendix D.

Table 3.2: Aerial Photograph Review

| Year | 4029 Nelson Bay Road | 4045 Nelson Bay Road | Surrounding Land |
|------|---|---|--|
| 1954 | The lot appears to consist of dense bushland | The lot appears to consist of dense bushland | The surrounding land uses appear to consist of bushland. Nelson Bay Road is present to the south of the site. Rural/residential and farming properties are present to the east and west of the site. |
| 1965 | The lot appears to consist mostly of bushland/vegetation. Some disturbed land/access tracks are present in the northern portion of the lot. | The majority of the lot has been cleared of vegetation. A building/structure is present in the eastern portion of the lot. Access tracks and a small structure is also present in the western portion of the lot. | Land to the north of the site has been cleared for farming and a residential dwelling has been constructed to the west of the site. A road has also been constructed to the north east of the site. The remaining surrounding land appears generally unchanged. |
| 1975 | The northern portion of the lot appears to have been cleared of vegetation, with evidence of land disturbance. | The majority of the lot appears to have been cleared of vegetation, with evidence of land disturbance. A small portion of grass cover is | A large area to the north and north west of the site appears to have been cleared of vegetation with extensive land disturbance. |

| Year | 4029 Nelson Bay Road | 4045 Nelson Bay Road | Surrounding Land |
|------|---|---|---|
| | | <p>present in the south eastern portion of the lot.</p> <p>The building/structure present in the eastern portion of the lot in the 1965 photograph has been removed.</p> | <p>Additional rural residential/farming land appears to be present in the wider surrounding area.</p> |
| 1986 | <p>Vegetation appears to have regrown across the northern portion of the lot.</p> <p>A small amount of land disturbance may be present in the centre of the lot, however based on the quality of the photo, this cannot be confirmed.</p> | <p>Vegetation appears to be present along the southern and western boundaries of the lot. Dwellings/structures appear to have been constructed in the western portion of the lot.</p> <p>The remainder of the lot appears to be vacant grassland.</p> | <p>The land disturbance to the north and north west of the site appears to have some vegetation regrowth.</p> <p>The remaining surrounding areas appears relatively unchanged since the 1975 aerial photograph.</p> |
| 1992 | <p>A residential dwelling and shed has been constructed in the western portion of the site. Some minor land disturbance is presented in the central south of the site.</p> <p>Vegetation has been planted surrounding the residential dwelling.</p> | <p>A residential dwelling and additional site sheds/structures are present in the western portion of the lot.</p> <p>With the exception of some vegetation in the western portion and south eastern corner of the lot, the site consists of vacant grassland.</p> <p>A small stockpile/land disturbance is also present in the north eastern portion of the site.</p> | <p>Rural residential/farming properties appear to be present to the north and north west of the site.</p> <p>The remaining surrounding area appears relatively unchanged since the 1986 aerial photograph.</p> |
| 2001 | <p>The lot appears relatively unchanged from the 1992 aerial photograph.</p> | <p>The lot appears relatively unchanged from the 1992 aerial photograph.</p> | <p>The surrounding area appears relatively unchanged since the 1992 aerial photograph.</p> |

| Year | 4029 Nelson Bay Road | 4045 Nelson Bay Road | Surrounding Land |
|------|---|---|---|
| 2010 | <p>A swimming pool appears to have been installed to the north of the residential dwelling. Additional smaller site sheds/structures also appear to have been constructed to the north west and north east of the residential dwelling.</p> <p>Some cleared/disturbed land is present in the south western corner of the lot.</p> <p>The remainder of the lot appears relatively unchanged from the 2001 aerial photograph.</p> | <p>A driveway has been constructed in the south western corner of the lot.</p> <p>Land to the west of the residential dwelling appears to have been cleared and cars parked in the area.</p> <p>Some land disturbance is also present in the north western portion of the lot.</p> <p>The remainder of the lot appears relatively unchanged from the 2001 aerial photograph.</p> | <p>The surrounding area appears relatively unchanged since the 2001 aerial photograph.</p> |
| 2022 | <p>A shed has been constructed in the north eastern portion of the lot.</p> <p>Some stockpiles are present in the central east and a driveway has been constructed in the western portion.</p> <p>The remainder of the lot appears relatively unchanged from the 2010 aerial photograph.</p> | <p>Additional works have been carried out on the driveway in the south western portion of the lot. A shed has also been constructed to the west of the residential dwelling.</p> <p>Structures/vegetation previously present to the north of the residential dwelling have been removed.</p> <p>Some stockpiles are present in the eastern portion of the site.</p> <p>The remainder of the lot appears relatively unchanged from the 2010 aerial photograph.</p> | <p>A lifestyle village has been constructed to the west of the site.</p> <p>The remaining surrounding area appears relatively unchanged since the 2010 aerial photograph.</p> |

3.3 Site Observations

A Qualtest Environmental Scientist visited the site on 18 October 2022. Selected site photographs are presented in Appendix E. The location of site features is shown on Figure 3, Appendix A. A summary of the site features is outlined below:

4029 Nelson Bay Road (Lot 3622 DP622485)

- A residential dwelling was observed in the central south of the lot. The dwelling was observed to have been constructed with brick and a tile roof. Potential Asbestos Containing Materials (PACM) were observed in the eaves of the dwelling (see Photograph 1 and 2).
- A shed (Shed 1) was observed to the north east of the residential dwelling. The shed was constructed with metal and a concrete floor in good condition (no major cracks, some minor staining). Shed 1 was used to store a vehicle, lawn mower, compressors, equipment and minor quantities of fuels, fertilisers, pool chemicals, paints, lubricants and detergent (less than 100L total). A metal car port and garden shed were also located adjacent to Shed 1. The carport had an earthen floor and was empty at the time of inspection. The garden shed had a concrete floor and was also empty at the time of inspection (see Photographs 3 to 4).
- A portable shower/toilet block was observed to the north of Shed 1. The shower/toilet block was constructed from metal (see Photograph 5).
- A metal fenced pool area was observed to the north of the residential dwelling. The pool was surrounding by grass and pavers. A small pool pump shed was located in the south eastern portion of the pool area (see Photograph 6).
- A former domestic sized chicken pen was located to the west of the pool area. The chicken pen was constructed of metal and overgrown with vegetation (see Photograph 7).
- A septic tank was observed to the north of the residential dwelling. The infiltration area of the septic was observed within vegetation to the north west of the septic tank (see Photograph 8).
- A metal shipping container with timber flooring, in good condition, was observed to the north west of the residential dwelling. The shipping container was observed to store a lawn mower, timber, metal equipment and small quantities of degreasers/oils (<5L). Some timber, tyres and plastics were observed surrounding the shipping container (see Photographs 9 and 10).
- Two large fill mounds (approximately 250m³) were observed along the southern boundary of the lot. The fill mounds were observed to consist of sand and overgrown with vegetation. (See Photograph 11).
- A small stockpile of timber offcuts (1m³) was observed in the central west of the site (see Photograph 12).
- A small stockpile (1m³) of roadbase/sandy gravel was observed to the north of the shipping container (see Photograph 13).
- A trailer, fibreglass fridge and waste storage area (plastics, bricks, fibre cement sheets, hose, PVC, glass) were observed in the central north and north western portion of the lot (see Photographs 14 to 16).
- A large metal shed/covered area (Shed 2) on a concrete slab was observed in the north eastern portion of the lot. The concrete was observed to be in good condition with no major cracks with some staining. No access was provided inside the shed. Stored on the concrete (covered area) was large eskies, rope, plastic bins, plastic tubs, timber desk, LPG gas bottles (see Photograph 17).
- An area of fill/driveway was observed to the south and west of shed 2. The fill material was observed to consists of asphalt, gravel, crushed bricks and concrete (See Photograph 18).
- A metal shipping container was observed to the west of Shed 2. No access was provided to the shipping container.
- A dilapidated boat trailer was observed to the north of Shed 2. Empty 205L drums, plastics and glass were also observed to the north of Shed 2 (See Photographs 19 and 20).
- A septic and water tanks were observed to the east of Shed 2. An infiltration area for the septic was also observed to the east of the septic tank.

- A storage area (timber, metal, plastics) was also observed along the eastern boundary of the lot (see Photograph 21).
- A stockpile SP3 was observed to the south of Shed 2. SP3 was approximately 15m³ and contained timber chip board (see Photograph 22).
- A stockpile (SP4) was observed to the west of SP3. SP4 was approximately 20m³ and contained timber, plastics, pallets, tyres, metal (see Photograph 23).
- Two driveways were observed running generally north south from Nelson Bay Road. The driveways were observed to contain gravel.

4045 Nelson Bay Road (Lot 2 DP622229)

- A dilapidated residential dwelling was observed in the south western portion of the lot. The building was observed to have been constructed with fibre cement cladding, brick and a tile roof. The eave lining and internal walls had been removed from the building. Fragments of potential Asbestos Containing Materials (PACM) were observed beneath the building (see Photograph 24).
- A shed (Shed 3) was observed to the west of the residential dwelling. The shed was observed to be in good condition on a concrete slab. No access was provided to the shed at the time of the site inspection. Two PVC water tanks were observed to the north of the shed (see Photograph 25).
- A gravel driveway was observed to the south of the shed, entering from Nelson Bay Road (see Photograph 26).
- A hose and possible groundwater bore pump was observed to the north east of the residential dwelling (see Photograph 27).
- A stockpile of gravel and carpet (SP5) (<2m³) and metal sheets were observed to the north of the residential dwelling (see Photographs 28).
- A waste storage area of plastic and metals was observed in the north western portion of the lot and a stockpile (SP6) (approx. 30m³) of concrete bricks and tiles were observed to the east of the residential dwelling (see Photographs 29 and 30).
- A stockpile (SP7) of timber pallets/timber doors was observed in the central south of the lot. Stockpiles of fallen trees were also observed adjacent to SP7 and in the central portion of the lot (See Photographs 31 and 32).
- No septic tank was observed, but is assumed to be to the north of the residential dwelling.

3.4 NSW EPA Records & Environment Protection Licenses

Contaminated Land Records

A search of the NSW EPA database of notices issued under the Contaminated Land Management Act, 1997 (CLM Act) revealed there were no properties listed as having current and/or former notices within the Bobs Farm suburb.

A search of sites that have been notified to NSW EPA as contaminated (as of 10 October 2022) was also carried out. The search identified one property within the Bobs Farm suburb which has been notified to the NSW EPA as being contaminated:

- Bobs Farm – 15 Fenningham Island Road, Bobs Farm, located >2km north of the site, regulation not required under the CLM Act.

Given the distance from the site and given the above property does not require regulation, it is considered unlikely that contamination from the above property (if any) would impact the site.

A copy of the above searches is provided in Appendix F.

Environment Protection Licenses (EPLs)

The Protection of the Environment Operations (POEO) register under Section 308 of the POEO Act 1997, was searched for Environment Protection Licenses (EPLs) for the suburb of Bobs Farm NSW. The search revealed one property within the suburb of Bobs Farm which had current and/or former EPLs.

| Company | EPL No. | Location | Status | Issued Date/Type | Approx. Distance and Direction from Site |
|----------------------------|---------|----------------------------|--------|-------------------------------------|--|
| Holcim (Australia) Pty Ltd | 11710 | Nelson Bay Road, Bobs Farm | Issued | 21/01/2003 Land based extraction | 12km to the west of the site. |

A copy of the above search is provided in Appendix F.

Based on the distance of the property from the site, and the type of property, it is considered that contamination on the property (if any) would be unlikely to impact the site.

NSW EPA PFAS Investigation Program

Based on a review of the NSW EPA Government PFAS Investigation Program ([ref: https://www.epa.nsw.gov.au/your-environment/contaminated-land/pfas-investigation-program](https://www.epa.nsw.gov.au/your-environment/contaminated-land/pfas-investigation-program)), there are no properties in the suburb of Bobs Farm that have been identified as a site that is likely to have used large quantities of PFAS.

It is noted that two sites; Salt Ash Weapons Range and Williamtown RAAF Base, located greater than 10Km to the west of the site, have been identified as likely to have used large quantities of PFAS. The RAAF Base Williamtown PFAS Management Area (Broader Zone) is also located greater than 2km to the west of the site.

Based on the distance of the site from the above mentioned properties, and as the site is not located in the Broader PFAS Management Area, PFAS contamination (from the above properties) is not considered to impact the site.

NSW EPA Former Gasworks Sites

Based on a review of the NSW EPA website ([ref: https://www.epa.nsw.gov.au/your-environment/contaminated-land/other-contamination-issues/former-gasworks-sites](https://www.epa.nsw.gov.au/your-environment/contaminated-land/other-contamination-issues/former-gasworks-sites)), no former gas works have been identified in the Port Stephens Council area.

3.5 Anecdotal Information

An interview was held with the current site owner of 4029 Nelson Bay Road, Mr Bill Robinson. Mr Robinson has owned 4029 Nelson Bay Road since 1982. Information obtained from Mr Robinson is summarised below:

- Mr Robinson's family purchased the site and land to the west of the site (the Lifestyle Village), in the 1950's.
- The northern and eastern portion of 4029 and the majority of 4045 Nelson Bay Road was used for sand mining in the 1960's to early 1970's. The sand mining was carried out using a floating dredge.
- Large shed in the north eastern portion of the lot was constructed in 2015 for Mr Robinson's sons fishing company. The shed also stores nets, fishing boxes. A 'granny flat' is also located within the shed.

- During construction of the shed, imported beach sand was used to raise the level of the shed. A road base material was also imported from an asphalt plant in Tomago to construct a driveway around the shed.
- Timber stored in stockpiled across the site is to burn.
- Large fill mounds along the southern boundary of the site were constructed as a noise barrier. The mounds consist of imported beach sand and topsoil material.
- The portable shower/toilet block was brought in for use when using the swimming pool and is connected to the site septic system.
- The house located at 4045 Nelson Bay Road was built in 1977/1978. The slab for the shed was poured 10 years ago, but shed only constructed in the last 3 years (on existing slab). No-one has lived on the lot for many years.

3.6 Section 10.7 Certificate

A Section 10.7 Certificates for 4029 Nelson Bay Road, Bobs Farm NSW, was obtained from Port Stephens Council, and is presented in Appendix G.

| | |
|---------------------------------------|---|
| Item | Lot 3622 DP622485 |
| Land Zoning | <i>RU2 Rural Landscape</i> |
| Acid Sulfate Soils | No information on acid sulfate soils provided. Qualtest notes that the Port Stephens Local Environmental Plan (LEP) 2013 maps the site as Class 4 ASS which requires development consent and an ASS Management Plan (ASSMP) for <i>"Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface."</i> |
| Loose-Fill Asbestos Insulation | <i>"No, the land does not include any residential dwelling identified on the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation".</i> |
| Contaminated Land Management Act 1997 | <i>"The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:</i> <i>(a) Whether or not the land to which the certificate relates is significantly contaminated land within the meaning of that Act.</i> <i>(b) Whether or not the land to which the certificate relates is subject to a management order within the meaning of that Act.</i> <i>(c) Whether or not the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of the Act.</i> <i>(d) Whether or not the land to which this certificate relates is subject to an ongoing maintenance order within the meaning of that Act.</i> <i>(e) Whether or not the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such statement has been provided at any time to the local authority issuing the certificate."</i> <i>"There are no prescribed matters under section 59(2) of the Contaminated Land Management Act 1997 to be disclosed".</i> |

3.7 Previous Reports

Qualtest has not been provided with, or been made aware of any previous contamination assessments conducted on the site.

3.8 Summary of Site History

The site history review showed:

- The historical title search indicated that the site has been owned by private individuals (business proprietor, married women, farmer, garage proprietor) from 1953 to present day. Prior to 1953 the site was crown land. The current site owners of Lot 3622 purchased the site in 1982. The current site owners of Lot 2 purchased the site in 2018.
- Anecdotal evidence indicates that the northern and eastern portion of 4029 and the majority of 4045 Nelson Bay Road was used for sand mining in the late 1960's to early 1970's. The sand mining was carried out using a floating dredge.
- Prior to the 1960's the site consisted of vacant bushland. The eastern portion of the site was potentially used for residential/farming purposes in the mid 1960's, prior to sand mining being carried out on the site. Following sand mining the site has been used for residential purposes since the 1980's. A commercial shed has also been present in the central north of the site since 2015.
- Some general materials/equipment was observed stored in and around onsite sheds and dwellings on the site. The materials/equipment included; timber, metal, plastic, bricks, tyres, trailers, eskies and empty 205L drums.
- Imported fill material and stockpiles of gravel, concretes and bricks were also observed.
- Buildings constructed of potential ACM were observed on the site, including the eaves of the residential dwelling at 4029 Nelson Bay Road and/or cladding of residential dwelling at 4045 Nelson Bay Road.

3.9 Potential Offsite Sources of Contamination

No potential offsite sources of contamination have been identified for the site.

3.10 Gaps in the Site History

Whilst the site history is reasonably comprehensive there are some gaps identified in the review as follows:

- The source and quality of the fill used on the site is unknown.
- It is not known if hazardous building materials (i.e. asbestos, lead paint) were used to construct the current and/or former buildings on site. However, based on site observations, portions of the previous and current buildings were likely constructed with asbestos containing materials (ACM).
- The exact operations of the sand mining such as ore processing and slimes burial are unknown
- Site access was restricted for some sheds due to being locked and so the items stored in these sheds could not be observed.

4.0 Preliminary Conceptual Site Model

Based on the results of the preliminary contamination assessment carried out on the site, a preliminary Conceptual Site Model (CSM) has been developed.

Table 4.0 – Preliminary Conceptual Site Model

| AEC | COPC | Likelihood of Contamination | Mechanism of Contamination | Potentially Affected Media | Human & Ecological Receptors | Potential mechanisms of exposure | Potential & Complete Exposure Pathways | Comments |
|---|---|-----------------------------|--|---|---|--|--|---|
| 1. Current and former buildings across the site. <ul style="list-style-type: none"> Weathering of potentially hazardous materials (asbestos, lead paint, galvanised metals) Use of pesticides around building Demolition of structures over time | Metals, Asbestos, OCPs | Medium to High | <ul style="list-style-type: none"> Top-down leaks/spills, flakes/fibres onto soil. Leaching of soil contaminants to surface water and groundwater. | <ul style="list-style-type: none"> Surface Soils Surface water Groundwater Sediments | <ul style="list-style-type: none"> Current site visitors Future construction workers & site users Soil biota/plants and transitory wildlife Surface and ground water depended ecosystems Offsite surface water – unnamed swamp, located 200m north of the site. Offsite groundwater discharge point – Bobs Farm Creek located approximately 800m north of the site or Tiligerry Creek, located approximately 2.2km north of the site. | <ul style="list-style-type: none"> Direct dermal contact with contaminated soil and/or surface water Ingestion of contaminated soil and/or surface water Inhalation of asbestos fibres, or contaminated soil (as dust) Leaching of soil contaminants to surface water and/or groundwater Surface water discharge to unnamed swamp, located 200m north of the site and potential groundwater discharge to Bobs Farm Creek or Tiligerry Creek located approximately 0.8km to 2.2km north of the site. | <ul style="list-style-type: none"> Potentially complete exposure pathway for current site visitors, future construction workers and site users. Potentially complete exposure pathway for ecological receptors. Potentially complete exposure pathway for soil contaminants to leach to surface water. Potentially complete exposure pathway for soil contaminants to leach to groundwater due to sandy soils. | Exposure pathways would be incomplete if soils are found to not be contaminated via sampling & analysis. It is recommended that a Hazardous Materials Survey is carried out on the existing site building. |
| 2. Filling and stockpiling on the site <ul style="list-style-type: none"> Potential use of imported fill of unknown quality and origin. | TRH, BTEX, PAH, OCPs, Metals, Asbestos | Low to medium | <ul style="list-style-type: none"> Importation of potentially contaminated fill. Leaching of soil contaminants to underlying soils, surface water and groundwater. | <ul style="list-style-type: none"> Fill soils Underlying soils Surface water Groundwater Sediments | | <ul style="list-style-type: none"> Direct dermal contact with contaminated soil and/or surface water Ingestion of contaminated soil Inhalation of asbestos fibres, or contaminated soil (as dust) Inhalation of hydrocarbon vapours Leaching of soil contaminants to surface water and/or groundwater Surface water discharge to unnamed swamp, located 200m north of the site and potential groundwater discharge to Bobs Farm Creek or Tiligerry Creek located approximately | | Exposure pathways would be incomplete if soils are found to not be contaminated via sampling & analysis. |
| 3. Storage of equipment/waste materials across the site <ul style="list-style-type: none"> Stored timber, bricks, metals, plastics, tyres, wood, fibreglass fridge, trailers and small quantities of paints, fuels, degreasers | TRH, BTEX, PAH, Metals, Asbestos, OCPs (CoPCs dependent on material/waste type) | Low to Medium | <ul style="list-style-type: none"> Top-down leaks/spills, flakes/fibres onto soil. Leaching of soil contaminants to surface water and groundwater. | <ul style="list-style-type: none"> Aesthetics Surface soils Surface water Groundwater Sediments | | <ul style="list-style-type: none"> Surface water discharge to unnamed swamp, located 200m north of the site and potential groundwater discharge to Bobs Farm Creek or Tiligerry Creek located approximately | | |

| AEC | COPC | Likelihood of Contamination | Mechanism of Contamination | Potentially Affected Media | Human & Ecological Receptors | Potential mechanisms of exposure | Potential & Complete Exposure Pathways | Comments |
|---|---|-----------------------------|--|--|---|---|--|---|
| | | | | | | 0.8km to 2.2km north of the site. | | |
| 4. Septic tank located in centre of the site <ul style="list-style-type: none"> Septic tank soak aways and adsorption trenches, potential leaks of effluent | Microbiological | Low | <ul style="list-style-type: none"> Subsurface leaks from tank Subsurface & surface leaks from pipes and/or trenches | <ul style="list-style-type: none"> Soil Surface water Sediment Groundwater | <ul style="list-style-type: none"> Current site visitors Future construction workers & site users Soil biota/plants and transitory wildlife Surface and ground water depended ecosystems Offsite surface water – unnamed swamp, located 200m north of the site. Offsite groundwater discharge point – Bobs Farm Creek located approximately 800m north of the site or Tiligerry Creek, located approximately 2.2km north of the site. | <ul style="list-style-type: none"> Direct dermal contact with contaminated soil and/or surface water Ingestion of contaminated soil and/or surface water Leaching of soil contaminants to surface water and/or groundwater Surface water discharge to unnamed swamp, located 200m north of the site and potential groundwater discharge to Bobs Farm Creek or Tiligerry Creek located approximately 0.8km to 2.2km north of the site. | <ul style="list-style-type: none"> Potentially complete exposure pathway for current site visitors, future construction workers and site users. Potentially complete exposure pathway for ecological receptors. Potentially complete exposure pathway for soil contaminants to leach to surface water. Potentially complete exposure pathway for soil contaminants to leach to groundwater due to sandy soils. | Exposure pathway would be incomplete if soils and surface water are found to not be contaminated via sampling & analysis. |
| 5. Sand Mining <ul style="list-style-type: none"> Former sand mining carried out in the north and eastern portion of the site Processing of ore and placement of slimes Use and storage of machinery and equipment during mining works | Naturally Occurring Radio Active Material (NORM), TRH, BTEX, PAHs, Metals | Low to medium | <ul style="list-style-type: none"> Top-down leaks/spills, flakes/fibres onto soil Concentration of NORM in areas where ore was processed and within areas where slimes could be buried Radiation risk if NORM located on site | <ul style="list-style-type: none"> Soil Surface water Sediment Groundwater | | | <ul style="list-style-type: none"> Potentially complete exposure pathway for current site visitors, future construction workers and site users. Potentially complete exposure pathway for ecological receptors. Potentially complete exposure pathway for soil contaminants to leach to surface water. Potentially complete exposure pathway for soil contaminants to leach to groundwater due to sandy soils. | |

5.0 Conclusions and Recommendations

The site history indicates that prior to the 1960's the site consisted of vacant bushland. The eastern portion of the site was potentially used for residential/farming purposes in the mid 1960's. Sand mining was carried out across the majority of the site in the late 1960's early 1970's. Following sand mining the site has been used for residential purposes. A commercial shed has also been present in the central north of the site since 2015.

Materials and equipment are currently stored in and around onsite sheds and dwellings, and areas of fill and fill stockpiles were also observed across the site. Buildings constructed of potential ACM were observed on the site, including the eaves of the residential dwelling at 4029 Nelson Bay Road and/or cladding of the residential dwelling at 4045 Nelson Bay Road.

Five Areas of Environmental Concern (AECs) were identified based on the site history and site observations. The AECs related to:

1. Current and former buildings across the site - Weathering of potentially hazardous materials (asbestos, lead paint, galvanised metals); Use of pesticides around buildings; Demolition of structures over time.
2. Filling and stockpiling on the site - Potential use of imported fill of unknown quality and origin.
3. Storage of equipment/waste materials across the site. Stored timber, bricks, metals, plastics, tyres, wood, fibreglass fridge, trailers and small quantities of paints, fuels, degreasers.
4. Septic tank located in centre of the site - Septic tank soak aways and adsorption trenches, potential leaks of effluent.
5. Sand Mining - Former sand mining carried out in the north and eastern portion of the site; Processing of ore and placement of slimes; Use and storage of machinery and equipment during mining works.

The Preliminary Conceptual Site Model (CSM) indicated that there was a potential for soil, surface water and groundwater contamination as well a radiation risk, to exist on the site and potentially complete exposure pathways could exist to current and future site users and the environment.

Based on the above, it is recommended that a Detailed Contamination Assessment (DCA), comprising intrusive investigations in the AECs identified be carried out. Given the age of the buildings on site it is also recommended that a Hazardous Materials Survey (HMS) is carried out by a suitably qualified consultant, prior to refurbishment and/or demolition of the structures. The former sand mining areas will require a radiation survey and possible soil sampling to assess the risk posed from NORM.

It is recommended that the DCA, HMS and radiation survey be carried out to inform the future development application, however for the purpose of the rezoning it is likely that the site could be made suitable, as the recommended additional assessments would unlikely identify contamination that would preclude the site being developed for the proposed use (i.e. was not able to be remediated or managed using conventional techniques).

This report was prepared in general accordance with the relevant sections of the NSW EPA (2020) Guidelines for Consultants Reporting on Contaminated Land and the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013)*, NEPC 2013, Canberra (referred to as ASC NEPM 2013). The report comprises a Preliminary Contamination Assessment in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4, Stage 1 assessment.

6.0 Limitations

This report has been prepared by Qualtest for Hometown Australia Holdings based on the objectives and scope of work listed in Sections 1.1 and 1.2. No warranty, expressed or implied, is made as to the information and professional advice included in this report. Anyone using this document does so at their own risk and should satisfy themselves concerning its applicability and, where necessary, should seek expert advice in relation to their particular situation.

The opinions, conclusions and recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. Qualtest has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

In preparing this report Qualtest has relied on information contained in searches of government websites and has not independently verified or checked the data contained on these websites.

In preparing this report, current guidelines for assessment and management of contaminated land were followed.

Site conditions may change after the date of this Report. Qualtest does not accept responsibility arising from, or in connection with, any change to the site conditions.

7.0 References

NSW Department of Primary Industries (Office of Water) Registered Groundwater Bore Map, accessed from <http://allwaterdata.water.nsw.gov.au/water.stm>.

NSW Land and Property Information, Spatial Information eXchange (SIX) Maps - Topographic Map, accessed from <https://maps.six.nsw.gov.au/>.

State of NSW and Department of Planning, Industry and Environment, 2022, Acid Sulfate Soil online database (<https://espade.environment.nsw.gov.au>)

NSW EPA (2020) Guidelines for Consultants Reporting on Contaminated Land.

NEPC (2013) National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013), Canberra (ASC NEPM 2013).

NSW ePlanning Spatial Viewer Portal (<https://www.planningportal.nsw.gov.au/spatialviewer/>)

NSW Spatial Portal - Historical Imagery (<https://portal.spatial.nsw.gov.au/portal/apps/>)

APPENDIX A:

Figures



LEGEND:



| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Drawing No: | FIGURE 1 |
| Project: | Preliminary Contamination Assessment | Project No: | NEW22P-0199-AA |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | Scale: | N.T.S. |
| Title: | Site Location Plan | Date: | 25/10/2022 |

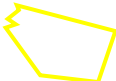


Lot 3622 DP622485
(4029 Nelson Bay Road,
Bobs Farm)

Lot 2 DP622229
(4045 Nelson Bay
Road, Bobs Farm)



LEGEND:



Approximate Site/Lot Boundary

Image sourced from SIX maps



| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Drawing No: | FIGURE 2 |
| Project: | Preliminary Contamination Assessment | Project No: | NEW22P-0199-AA |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | Scale: | N.T.S. |
| Title: | Lot Location Plan | Date: | 25/10/2022 |



| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Drawing No: | FIGURE 3 |
| Project: | Preliminary Contamination Assessment | Project No: | NEW22P-0199-AA |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | Scale: | N.T.S. |
| Title: | Site Features Plan | Date: | 25/10/2022 |

APPENDIX B:

Groundwater Bore Search

Real Time Data - Major Dams

Groundwater (Telemetered data)

favourites search

download sites find a site

Real Time Data - Bores

All Groundwater Site details

search download sites

find a site search by licence

Search

Enter keywords
(site name or number)

search

All Groundwater Map

Meteorology

favourites search

All Groundwater Site Details

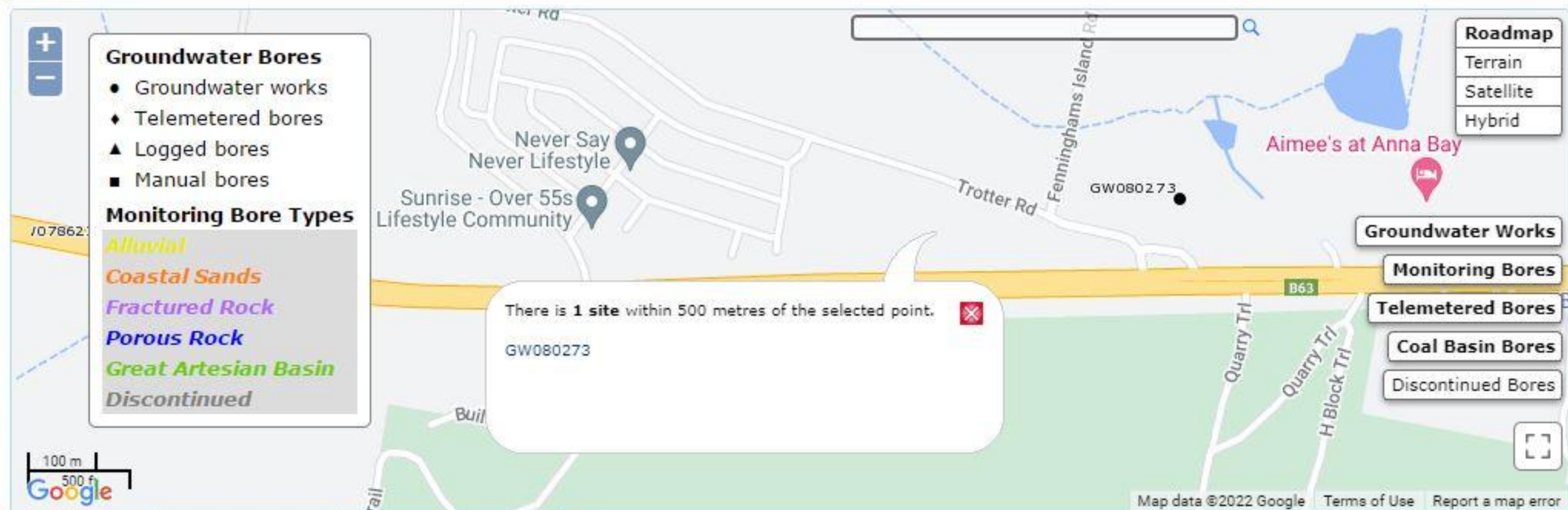
ALL GROUNDWATER MAP

All data times are Eastern Standard Time

Map

Info

bookmark this page



Scale = 1 : 6771

166021, 0, 31

WaterNSW

Work Summary

GW080273

| | |
|-----------------------------|---|
| Licence: | Licence Status: |
| | Authorised Purpose(s): Intended Purpose(s): IRRIGATION |
| Work Type: Spear | |
| Work Status: | |
| Construct.Method: | |
| Owner Type: Private | |
| Commenced Date: | Final Depth: |
| Completion Date: 16/08/2002 | Drilled Depth: |
| Contractor Name: (None) | |
| Driller: | |
| Assistant Driller: | |
| Property: | Standing Water Level (m): |
| GWMA: | Salinity Description: |
| GW Zone: | Yield (L/s): |

Site Details

| | | | |
|---|--|--|---------------------------|
| Site Chosen By: | | | |
| | County Form A: GLOUCESTER Licensed: | Parish TOMAREE | Cadastre LT99 DP753204 |
| Region: 20 - Hunter | CMA Map: 9332-3N | | |
| River Basin: 209 - KARUAH RIVER Area/District: | Grid Zone: | Scale: | |
| Elevation: 0.00 m (A.H.D.) Elevation Source: (Unknown) | Northing: 6374006.000 Easting: 410540.000 | Latitude: 32°46'05.5"S Longitude: 152°02'41.5"E | |
| GS Map: - | MGA Zone: 56 | Coordinate Source: Unknown | |

Remarks

01/12/2009: Reviewed data - nothing to update.

*** End of GW080273 ***

Warning To Clients: This raw data has been supplied to the WaterNSW by drillers, licensees and other sources. WaterNSW does not verify the accuracy of this data. The data is presented for use by you at your own risk. You should consider verifying this data before relying on it. Professional hydrogeological advice should be sought in interpreting and using this data.

APPENDIX C:

Historical Titles

ADVANCE LEGAL SEARCHERS PTY LTD

(ACN 147 943 842)

ABN 82 147 943 842

18/36 Osborne Road,
Manly NSW 2095

Mobile: 0412 169 809

Email: search@alsearchers.com.au

17th October, 2022

QUALTEST PTY LTD
2 Murray Dwyer Circuit,
MAYFIELD WEST, NSW 2304

Attention Libby Betz,

RE: 4029 & 4045 Nelson Bay Road,
Bobs Farm
Purchase Order NEW22P- Hometown Australia Holdings

| | | | |
|----------------|-----------------|------------------|----------|
| Note 1: | Lot 3622 | DP 622485 | (page 1) |
| Note 2: | Lot 2 | DP 622229 | (page 4) |

Note 1:

Current Search

Folio Identifier 3622/622485 (title attached)

DP 622485 (plan attached)

Dated 14th October, 2022

Registered Proprietor:

WILLIAM FREDERICK ROBINSON

Title Tree
Lot 3622 DP 622485

Folio Identifier 3622/622485

Certificate of Title Volume 14712 Folio 36

Certificate of Title Volume 13027 Folio 245

Certificate of Title Volume 6731 Folio 247

Crown land

Index

T – Transfer
A – Application
G – Grant

Summary of proprietor(s) Lot 3622 DP 622485

| Year | Proprietor(s) | |
|-------------------------|---|---|
| | (Lot 3622 DP 622485) | |
| 14 Sep 1988 – todate | William Frederick Robinson | |
| | (Lot 3622 DP 622485 – CTVol 14712 Fol 36) | |
| 26 Jul 1982 | William Frederick Robinson | T |
| 15 Apr 1982 | Alma Joan Chapman | |
| | (Lot 362 DP 581098 – CTVol 13027 Fol 245) | |
| 26 Oct 1981 | Alma Joan Chapman | T |
| 17 May 1976 | Ross Reginald Chapman, business proprietor Alma Joan Chapman, his wife | T |
| 06 Apr 1976 | Alma Joan Chapman, married woman | |
| | (Portion 36 Parish Tomaree – Area 43 Acres – CTVol 6731 Fol 247) | |
| 19 Mar 1976 | Alma Joan Chapman, married woman | |
| 09 Oct 1967 | Alma Joan Chapman, married woman | A |
| 20 May 1958 | Donald Frederick Robinson, farmer | A |
| 04 Dec 1953 | Nellie May Robinson, widow / grantee | G |
| | (Portion 36 Parish Tomaree – Area 43 Acres) | |
| Prior to 04 Dec 1953 | Crown Land | |
| (1953 – 1953) | <i>(Lease in Perpetuity 1953/93 Newcastle)</i> | |
| (1921 – 1953) | <i>(Suburban Holding 1921/6 Newcastle)</i> | |

Note 2:

Current Search

Folio Identifier 2/622229 (title attached)

DP 622229 (plan attached)

Dated 14th October, 2022

Registered Proprietor:

DAVID JOHN SLACK

LISA JAYNE SLACK

Title Tree
Lot 2 DP 622229

Folio Identifier 2/622229

Certificate of Title Volume 14671 Folio 96

Certificate of Title Volume 13027 Folio 244

Certificate of Title Volume 6731 Folio 247

Crown land

Index

T – Transfer

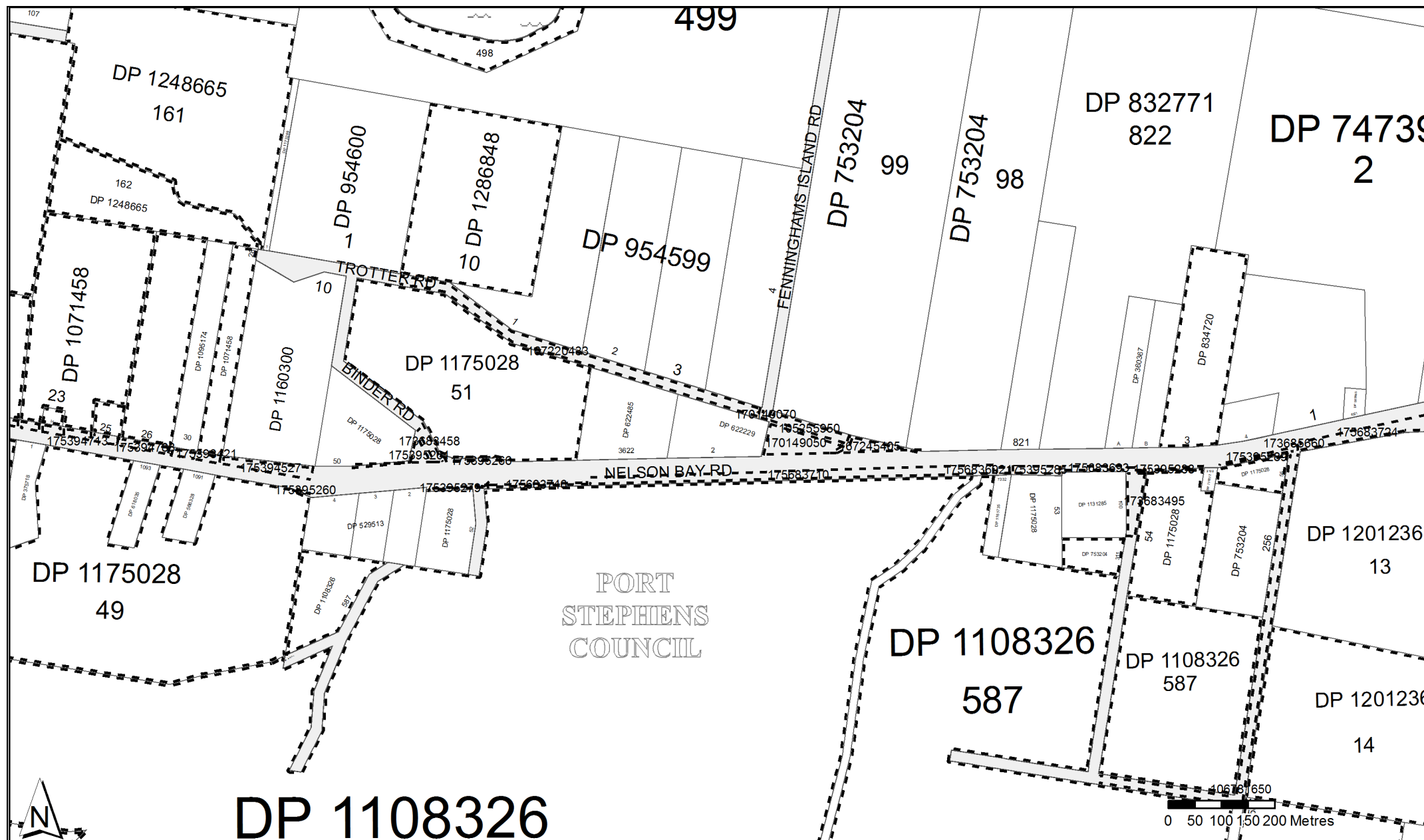
TA – Transmission Application






















A – Application

G – Grant
















Summary of proprietor(s) Lot 2 DP 622229

| Year | Proprietor(s) | |
|-------------------------|---|----|
| | (Lot 2 DP 622229) | |
| 24 Oct 2018 – todate | David John Slack Lisa Jayne Slack | T |
| 14 Sep 1988 | Mark Stephen Barrett | |
| | (Lot 2 DP 622229 – CTVol 14671 Fol 96) | |
| 24 Feb 1986 | Mark Stephen Barrett | T |
| 19 Jun 1984 | Margot Riessbeck | TA |
| 19 Jul 1982 | Henry Reissbeck, garage proprietor | |
| | (Lot 361 DP 581098 – CTVol 13027 Fol 244) | |
| 30 Nov 1976 | Henry Reissbeck, garage proprietor | T |
| 06 Apr 1976 | Alma Joan Chapman, married woman | |
| | (Portion 36 Parish Tomaree – Area 43 Acres – CTVol 6731 Fol 247) | |
| 19 Mar 1976 | Alma Joan Chapman, married woman | |
| 09 Oct 1967 | Alma Joan Chapman, married woman | A |
| 20 May 1958 | Donald Frederick Robinson, farmer | A |
| 04 Dec 1953 | Nellie May Robinson, widow / grantee | G |
| | (Portion 36 Parish Tomaree – Area 43 Acres) | |
| Prior to 04 Dec 1953 | Crown Land | |
| <i>(1953 – 1953)</i> | <i>(Lease in Perpetuity 1953/93 Newcastle)</i> | |
| <i>(1921 – 1953)</i> | <i>(Suburban Holding 1921/6 Newcastle)</i> | |






| | Status | Surv/Comp | Purpose |
|----------------------------|--|------------|-----------------------------|
| DP728124 Lot(s): 498 |  NSW GAZ. 02-05-2003 Folio : 4639 LOT 498 DP728124 RESERVED AS PART OF TILLIGERRY NATURE RESERVE | | |
| DP753204 Lot(s): 311 |  NSW GAZ. 24-01-2003 Folio : 466 ADDITION TO RESERVED CROWN LAND RESERVE NO. 74744 - LOT 311 DP753204 | | |
| DP834720 Lot(s): 3 |  DP1200992 | REGISTERED | SURVEY EASEMENT |
| DP1033110 Lot(s): 2 |  DP815252  DP866324 | HISTORICAL | SURVEY SUBDIVISION |
| DP1071458 Lot(s): 23 |  DP1214256 | REGISTERED | SURVEY EASEMENT |
| Lot(s): 26 |  DP1205730 | REGISTERED | SURVEY EASEMENT |
| Lot(s): 23, 25, 43, 45, 46 |  DP588972 | HISTORICAL | SURVEY SUBDIVISION |
| Lot(s): 28, 49 |  DP340555 | HISTORICAL | SURVEY UNRESEARCHED |
| Lot(s): 24, 44 |  DP327837 | HISTORICAL | SURVEY UNRESEARCHED |
| DP1097992 Lot(s): 592 |  NSW GAZ. 05-12-2008 Folio : 11884 ACQUIRED FOR THE PURPOSES OF THE ELECTRICITY SUPPLY ACT, 1995 PROPOSED EASEMENT FOR ELECTRICITY TRANSMISSION LINES AND ACCESS THERETO OF VARIABLE WIDTH DESIGNATED (A), (B), SHOWN IN DP1066223 | | |
| DP1108326 Lot(s): 587 |  DP1104760 | REGISTERED | SURVEY EASEMENT |
| DP1113487 Lot(s): 212 |  DP749014 | HISTORICAL | SURVEY SUBDIVISION |
| DP1175028 Lot(s): 54 |  DP1276856 | REGISTERED | SURVEY EASEMENT |
| Lot(s): 51 |  DP1269361 | REGISTERED | SURVEY EASEMENT |
| Lot(s): 51, 64 |  DP809679 | HISTORICAL | SURVEY SUBDIVISION |
| Lot(s): 54, 67 |  DP778272 | HISTORICAL | SURVEY SUBDIVISION |
| Lot(s): 55, 68 |  DP753204 | HISTORICAL | COMPILATION CROWN ADMIN NO. |
| Lot(s): 49, 62 |  DP618035 | HISTORICAL | SURVEY SUBDIVISION |
| Lot(s): 55 |  NSW GAZ. 18-05-2018 Folio : 2904 NATIONAL PARKS AND WILDLIFE ACT, 1974 - PROCLAMATION RESERVED AS AN ADDITION TO WORIMI NATIONAL PARK | | |
| DP1177621 Lot(s): 3907 |  DP1071458 | HISTORICAL | SURVEY ROADS ACT, 1993 |

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

| | Status | Surv/Comp | Purpose |
|---|------------|-------------|-----------------|
| DP1201236 | | | |
| Lot(s): 14 | | | |
|  DP1052037 | REGISTERED | SURVEY | EASEMENT |
|  NSW GAZ. | 05-12-2008 | | Folio : 11884 |
| ACQUIRED FOR THE PURPOSES OF THE ELECTRICITY SUPPLY ACT, 1995 PROPOSED EASEMENT FOR ELECTRICITY TRANSMISSION LINES AND ACCESS THERETO OF VARIABLE WIDTH DESIGNATED (A), (B), (C), (D), (E) AND (J) SHOWN IN DP1052037 | | | |
| DP1248665 | | | |
| Lot(s): 161 | | | |
|  DP1171865 | HISTORICAL | SURVEY | ROADS ACT, 1993 |
|  NSW GAZ. | 17-02-2012 | | Folio : 454 |
| CLOSED ROAD LOTS 1-2 DP1171865 | | | |
| Lot(s): 161, 162 | | | |
|  DP753204 | HISTORICAL | COMPILATION | CROWN ADMIN NO. |
| DP1286848 | | | |
| Lot(s): 10 | | | |
|  DP954600 | HISTORICAL | SURVEY | UNRESEARCHED |
| Road | | | |
| Polygon Id(s): 170149050 | | | |
|  NSW GAZ. | 01-11-2013 | | Folio : 5047 |
| DEDICATED PUBLIC ROAD LOT 1 DP622229 | | | |
| Polygon Id(s): 175683745, 175683746, 175683710, 175683692, 175683693, 175683724 | | | |
|  NSW GAZ. | 05-12-2003 | | Folio : 11115 |
| ACQUIRED FOR THE PURPOSES OF THE ROADS ACT, 1993 LOTS 51-57 DP1053988 | | | |
| Polygon Id(s): 175683745, 175683746, 175683710, 175683692, 175683724 | | | |
| PA81474 - LOTS 51-57 DP1053988 AND LOTS 1-3 DP1046439 | | | |
| Polygon Id(s): 175683745, 175683746, 175683710, 175683692, 175683693, 175683724 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOTS 51-57 DP1053988 | | | |
| Polygon Id(s): 175394788 | | | |
| LOT 47 DP1071458 IS REQUIRED FOR ROAD PURPOSES - SEE AG574554 | | | |
| Polygon Id(s): 175394710, 175394711, 175394712, 175394713, 175394765, 175394788 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOTS 40, 42 TO 47 DP1071458 | | | |
| Polygon Id(s): 175394789 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOT 49 DP1071458 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOT 31 DP1095172 | | | |
| Polygon Id(s): 175393421 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOT 31 DP1095174 | | | |
| Polygon Id(s): 175394527 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOT 11 DP1160300 | | | |
| Polygon Id(s): 175395266 | | | |
| LOT 64 DP1175028 IS REQUIRED FOR ROAD PURPOSES - SEE AH762508 | | | |
| Polygon Id(s): 175395260, 175395261, 175395266, 175395279 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD LOTS 62-65 DP1175028 | | | |

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL** **ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

| | Status | Surv/Comp | Purpose |
|---|------------|-----------|--------------|
| Polygon Id(s): 175395285, 175395288, 175395289 | | | |
|  NSW GAZ. | 12-05-2017 | | Folio : 1671 |
| DEDICATED PUBLIC ROAD | | | |
| LOTS 66-72 DP1175028 | | | |
| Polygon Id(s): 106781650 | | | |
|  NSW GAZ. | 18-05-2018 | | Folio : 2904 |
| NATIONAL PARKS AND WILDLIFE ACT, 1974 - PROCLAMATION | | | |
| RESERVED AS AN ADDITION TO WORIMI NATIONAL PARK. THE CROWN ROAD SEPARATING LOT 55 DP1175028 | | | |
| FROM LOT 13 DP1201236 | | | |
| Polygon Id(s): 173683492, 173683494, 173683495 | | | |
|  NSW GAZ. | 19-07-2013 | | Folio : 3545 |
| TRANSFER OF CROWN ROAD TO COUNCIL | | | |
| Polygon Id(s): 105255950, 167220433, 167245405, 170149070 | | | |
|  NSW GAZ. | 17-02-2012 | | Folio : 451 |
| TRANSFER OF CROWN ROAD TO COUNCIL | | | |
| Polygon Id(s): 173683458, 173683473, 173683491, 173683494, 173685660 | | | |
|  NSW GAZ. | 26-02-2016 | | Folio : 340 |
| TRANSFER OF CROWN ROAD TO COUNCIL | | | |

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL** **ACTIVITY PRIOR TO SEPTEMBER 2002** you must refer to the RGs Charting and Reference Maps.

| Plan | Surv/Comp | Purpose |
|-----------|-------------|-----------------------|
| DP360367 | COMPILATION | UNRESEARCHED |
| DP375718 | SURVEY | UNRESEARCHED |
| DP529513 | SURVEY | SUBDIVISION |
| DP566328 | SURVEY | SUBDIVISION |
| DP585665 | SURVEY | SUBDIVISION |
| DP618035 | SURVEY | SUBDIVISION |
| DP622229 | SURVEY | SUBDIVISION |
| DP622485 | COMPILATION | SUBDIVISION |
| DP700904 | SURVEY | SUBDIVISION |
| DP728124 | COMPILATION | CROWN FOLIO CREATION |
| DP747399 | SURVEY | SUBDIVISION |
| DP753204 | COMPILATION | CROWN ADMIN NO. |
| DP778272 | SURVEY | SUBDIVISION |
| DP832771 | SURVEY | SUBDIVISION |
| DP834720 | SURVEY | SUBDIVISION |
| DP954599 | SURVEY | UNRESEARCHED |
| DP954600 | SURVEY | UNRESEARCHED |
| DP1033110 | SURVEY | SUBDIVISION |
| DP1071458 | SURVEY | ROADS ACT, 1993 |
| DP1095174 | COMPILATION | ROADS ACT, 1993 |
| DP1097992 | SURVEY | CROWN FOLIO CREATION |
| DP1108326 | SURVEY | SUBDIVISION |
| DP1113487 | SURVEY | SUBDIVISION |
| DP1131285 | COMPILATION | CROWN LAND CONVERSION |
| DP1160300 | SURVEY | ROADS ACT, 1993 |
| DP1161735 | COMPILATION | CROWN LAND CONVERSION |
| DP1173269 | COMPILATION | CROWN ROAD ENCLOSURE |
| DP1175028 | SURVEY | ROADS ACT, 1993 |
| DP1177621 | SURVEY | SUBDIVISION |
| DP1201236 | COMPILATION | CROWN LAND CONVERSION |
| DP1248665 | SURVEY | SUBDIVISION |
| DP1286848 | SURVEY | REDEFINITION |
| DP1286848 | SURVEY | REDEFINITION |

Caution: This information is provided as a searching aid only. Whilst every endeavour is made to ensure that current map, plan and titling information is accurately reflected, the Registrar General cannot guarantee the information provided. For **ALL**

ACTIVITY PRIOR TO SEPTEMBER 2002 you must refer to the RGs Charting and Reference Maps.

CERTIFICATE OF TITLE



13027244

NEW SOUTH WALES

PROPERTY ACT, 1900

Vol. 13027 Fol. 244

Prior Title (Crown Grant)
 Vol. 6731 Fol. 247



CANCELLED

EDITION ISSUED

6 4 1976

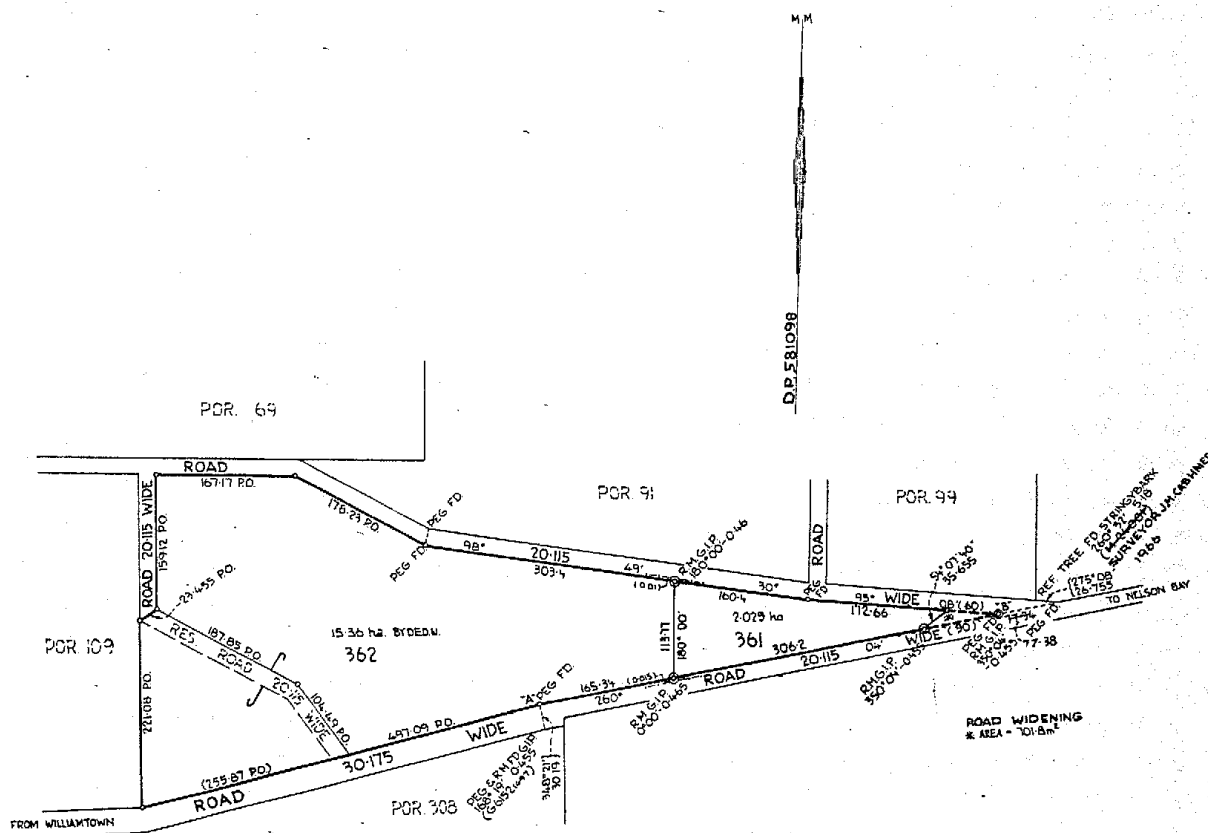
I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Jawakson
 Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 361 in Deposited Plan 581098 at Bobs Farm in the Shire of Port Stephens Parish of Tomaree and County of Gloucester. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

FIRST SCHEDULE

~~ALMA JOAN CHAPMAN of Bobs Farm, Married Woman.~~

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Restriction on dealings - See Section 129B Crown Lands Consolidation Act, 1913, (1921/6 Newcastle).

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

13027 244 Fol. (Page 1) Vol.

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR

Henry Reisbeck of Bobs Farm, Garage Proprietor.

| NATURE | Transfer |
|--------|----------|
|--------|----------|

P984739

DATE _____

ENL ERRED
0-11-1976

Signature of
Registrar General

181347012

1934 73952

CIT 5:11-8)

DP 622229

NEW CERTIFICATES OF TITLE ISSUED FOR

SECOND SCHEDULE (continued)

NATURE

| INSTRUMENT | |
|------------|--|
| NUMBER | |

DATE _____

PARTICULARS

ENTERED

Signature of
Registrar General

CANCELLATION

| | |
|----------|---------|
| Mortgage | P984740 |
|----------|---------|

to The Commercial Bank of Australia Limited.


30-11-1976

Penetration

Wk-10
10-2-1982

10/10/1991 14611 295126 622229 30/01/2000

REGISTERED COMPANY



NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED



13027245

PROPERTY ACT, 1900

13027 245
Vol. Fol.

CANCELLED

6 4 1976



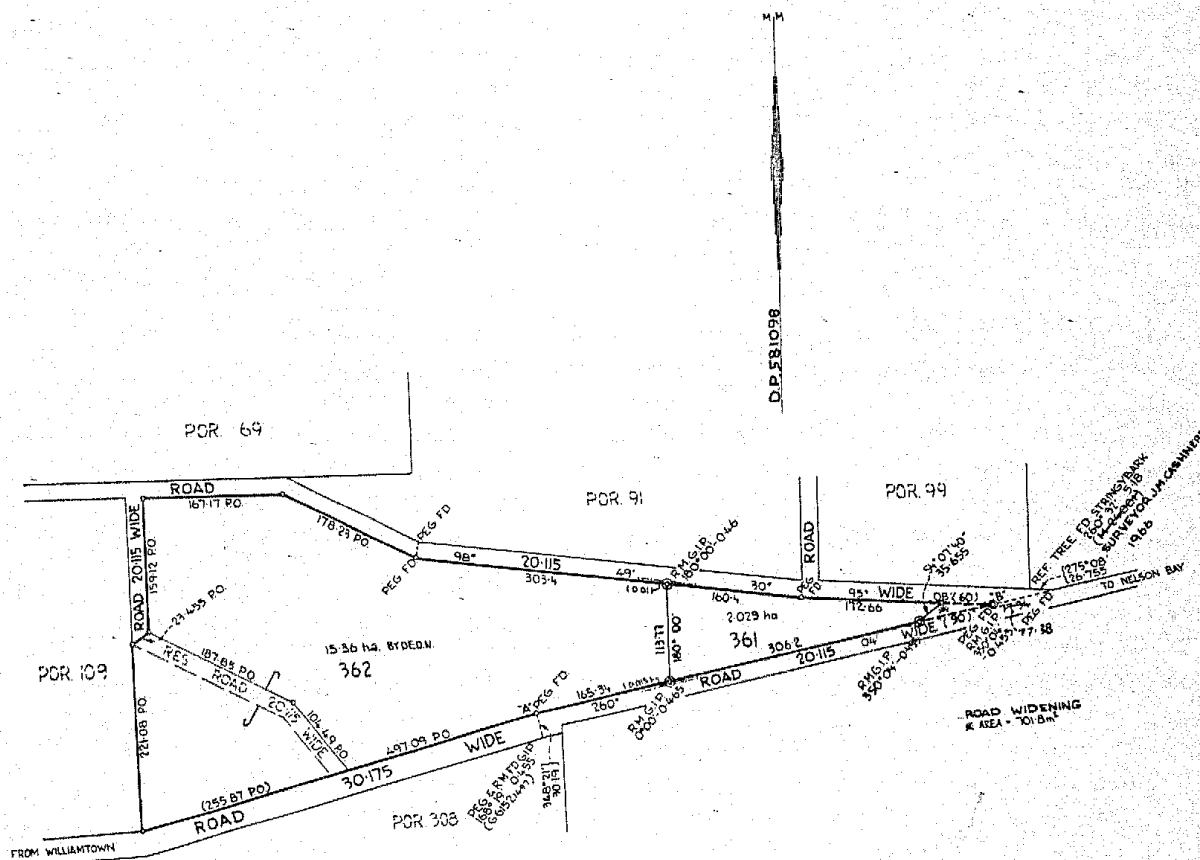
Jawatson
Registrar General.



Registrar General.



LENGTHS ARE IN METRES



Estate in Fee Simple in Lot 362 in Deposited Plan 581098 at Bobs Farm in the Shire of Port Stephens Parish of Tomaree and County of Gloucester. EXCEPTING THEREOUT the road shown in the plan hereon and the minerals reserved by the Crown Grant.

~~ALMA JOAN CHAPMAN of Bob's Farm, Married woman.~~

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Restriction on dealings - See Section 129B Crown Lands Consolidation Act, 1913, (1921/6 Newcastle).

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

13027 Fol. 245

Page 1) Vol.

RG 2262



AL PROPERTY ACT, 1900



14671098

Crown Grant Vol. 6731 Fol. 247

Prior Title Vol.13027 Fol.244

Vol. **14671** Fol. **96**



EDITION ISSUED

CANCELLED 982

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

10. SEE WITH CARE

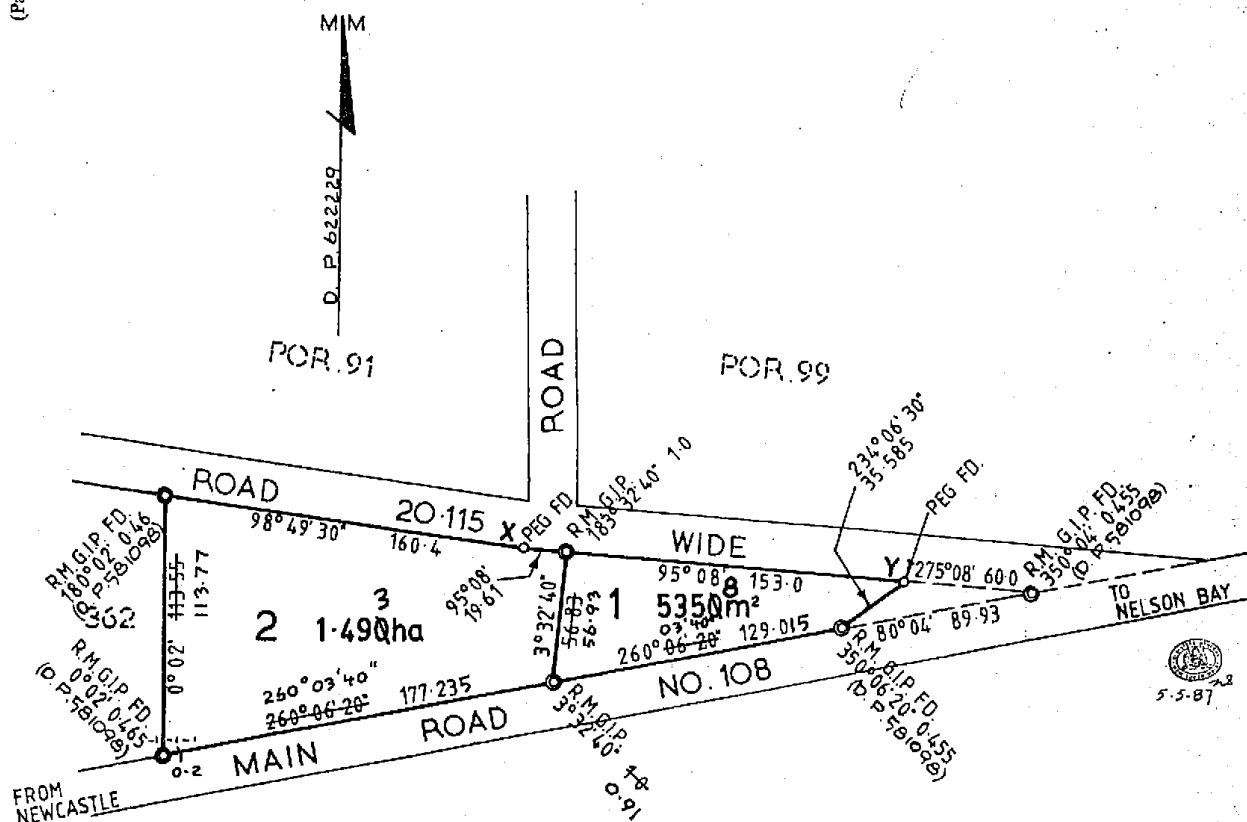


Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



ESTATE AND LAND REFERRED TO

5 Estate in Fee Simple in Lot 2 in Deposited Plan 622229 at Bobs Farm in the Shire of Port Stephens Parish of Tomaree and County of Gloucester. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

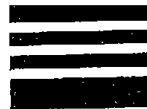
FIRST SCHEDULE

~~HENRY ALBERT BECK~~

SECOND SCHEDULE

GRM 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
AA 2. Restrictions on dealings - see section 129B Crown Lands Consolidation Act, 1913 (1921/6 Newcastle).
3. ~~P084740 Mortgage to The Commercial Bank of Australia Limited.~~ Discharged T61298

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED



CERTIFICATE OF TITLE

LAND PROPERTY ACT, 1900



14712036

NEW SOUTH WALES

Crown Grant Vol. 6731 Fol.247

Prior Title Vol.13027 Fol.245

Vol. 14712 Fol. 36
 EDITION ISSUED

15 4 1982



CANCELLED

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

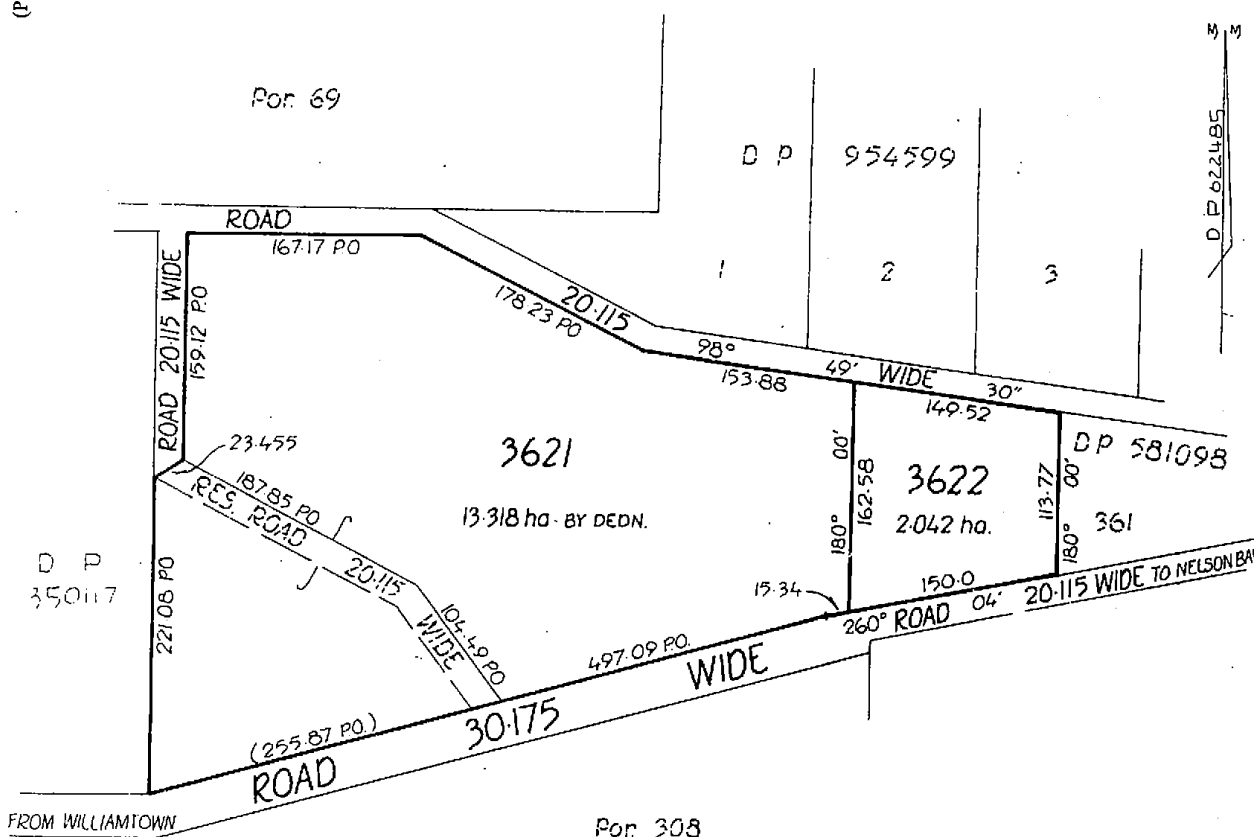
SEE AUTO FOLIO

Registrar General.



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



ESTATE AND LAND REFERRED TO

- S Estate in Fee Simple in Lot 3622 in Deposited Plan 622485 at Bobs Farm in the Shire of Port Stephens Parish of Tomoree and County of Cloucester. EXCEPTING THEREOUT the minerals reserved by the Crown Grant.

FIRST SCHEDULE

ALMA JOAN CHAPMAN

SECOND SCHEDULE

- GRM 1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
 AA 2. Restriction on dealings - see Section 129B Crown Lands Consolidation Act, 1913 (1921/6 Newcastle).

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED

T158245 uR
T248167 m/r
W997009 D/m
A

NOTATIONS AND UNREGISTERED DEALINGS

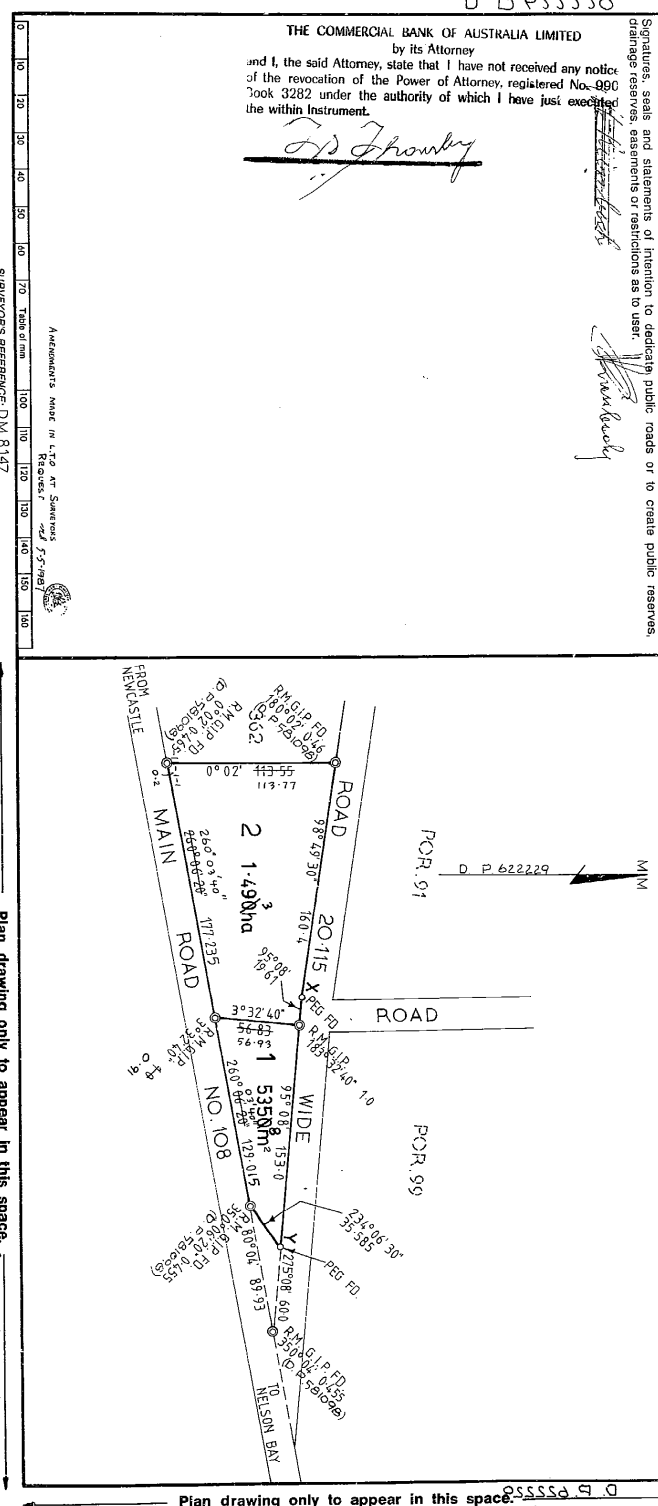
| | | |
|---|--|--|
| 1248167 Mortgage to Commonwealth Trading Bank of Australia. Registered 28-9-1982. | | |
| W997009 | | |

SECOND SCHEDULE (continued)
PARTICULARS
Registrar General CANCELLATION

| | |
|---|--|
| CANCELLATION | |
| William Frederick Robinson by Transfer 1158245. Registered 26.7.1982. | |

FIRST SCHEDULE (continued)
REGISTERED PROPRIETOR
Registrar General

M.P.D.D

[illegible]

AMENDMENTS AND/OR ADDITIONS MADE ON
PLAN IN THE LAND TITLES OFFICE.

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 7th May, 1987

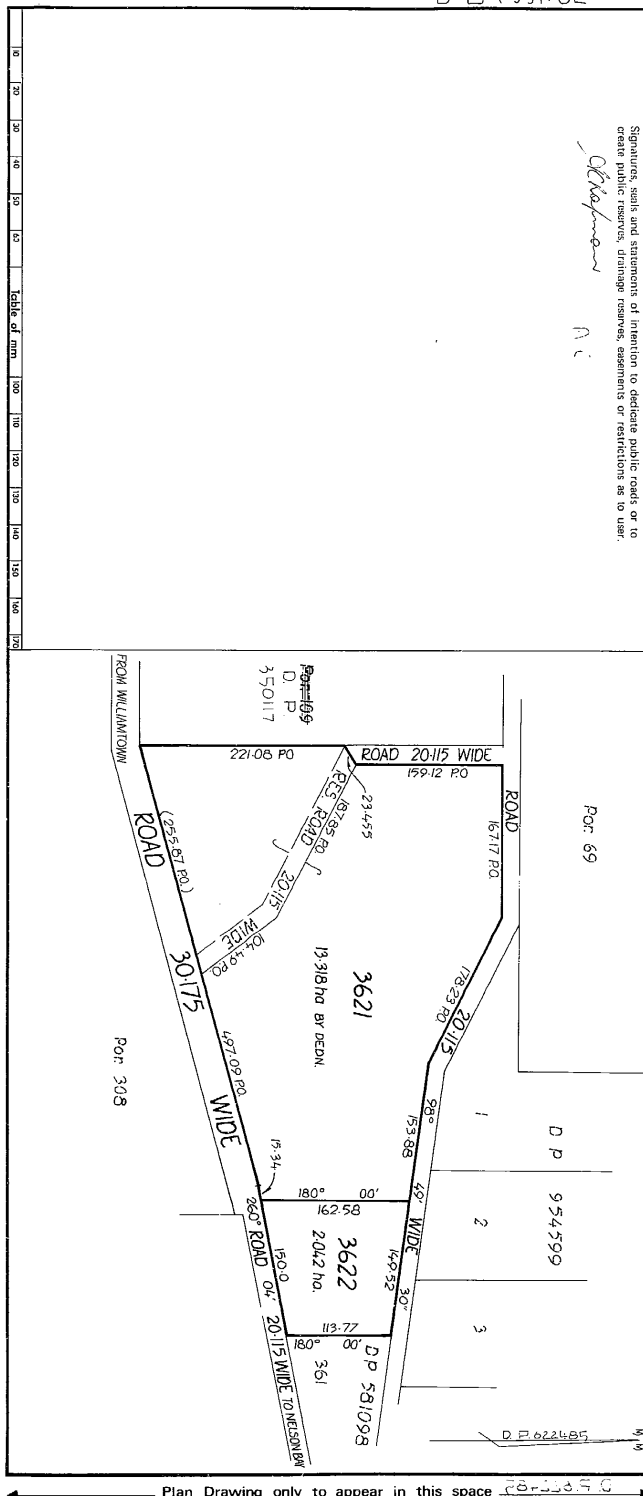


WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

7-11-65 * OFFICE USE ONLY (

[illegible]

Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to use



SURVEYOR'S REFERENCE 53468

Plan Drawing only to appear in this space

I, Bruce Richard Davies, Under Secretary for Lands and Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this day.

9th February, 1982



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

14/10/2022 2:28PM

FOLIO: 2/622229

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 14671 FOL 96

| Recorded | Number | Type of Instrument | C.T. Issue |
|------------|----------|-----------------------------|-----------------------------------|
| 28/3/1988 | | TITLE AUTOMATION PROJECT | LOT RECORDED FOLIO NOT CREATED |
| 14/9/1988 | | CONVERTED TO COMPUTER FOLIO | FOLIO CREATED CT NOT ISSUED |
| 17/4/1989 | Y302820 | MORTGAGE | EDITION 1 |
| 6/8/1998 | 5180754 | DEPARTMENTAL DEALING | |
| 24/10/2018 | AN798971 | DISCHARGE OF MORTGAGE | |
| 24/10/2018 | AN798972 | TRANSFER | |
| 24/10/2018 | AN798973 | MORTGAGE | EDITION 2 CORD ISSUED |

*** END OF SEARCH ***

advlegs

PRINTED ON 14/10/2022



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

14/10/2022 2:28PM

FOLIO: 3622/622485

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 14712 FOL 36

| Recorded ----- | Number ----- | Type of Instrument ----- | C.T. Issue ----- |
|-------------------|-----------------|-----------------------------|-----------------------------------|
| 28/3/1988 | | TITLE AUTOMATION PROJECT | LOT RECORDED FOLIO NOT CREATED |
| 14/9/1988 | | CONVERTED TO COMPUTER FOLIO | FOLIO CREATED CT NOT ISSUED |
| 7/4/1993 | I241699 | MORTGAGE | EDITION 1 |
| 6/9/1995 | O512929 | MORTGAGE | EDITION 2 |
| 6/8/1998 | 5181137 | DEPARTMENTAL DEALING | |
| 2/9/2018 | AN678864 | DEPARTMENTAL DEALING | EDITION 3 CORD ISSUED |

*** END OF SEARCH ***

advlegs

PRINTED ON 14/10/2022



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/622229

| SEARCH DATE | TIME | EDITION NO | DATE |
|-------------|---------|------------|------------|
| 14/10/2022 | 2:28 PM | 2 | 24/10/2018 |

LAND

LOT 2 IN DEPOSITED PLAN 622229
AT BOBS FARM
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF TOMAREE COUNTY OF GLOUCESTER
TITLE DIAGRAM DP622229

FIRST SCHEDULE

DAVID JOHN SLACK
LISA JAYNE SLACK
AS JOINT TENANTS (T AN798972)

SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 AN798973 MORTGAGE TO NEWCASTLE PERMANENT BUILDING SOCIETY LIMITED

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 14/10/2022



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 3622/622485

| SEARCH DATE | TIME | EDITION NO | DATE |
|-------------|---------|------------|----------|
| ----- | ---- | ----- | ---- |
| 14/10/2022 | 2:28 PM | 3 | 2/9/2018 |

LAND

LOT 3622 IN DEPOSITED PLAN 622485
AT BOBS FARM
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF TOMAREE COUNTY OF GLOUCESTER
TITLE DIAGRAM DP622485

FIRST SCHEDULE

WILLIAM FREDERICK ROBINSON (T T158245)

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)
- 2 I241699 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA
- 3 O512929 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 14/10/2022

APPENDIX D:

Aerial Photographs

Aerial Photographs

1954



1965



1975



1986



1992



2001



2010



2022



APPENDIX E:

Site Photographs



Photograph 1 - Residential Dwelling - 4029 Nelson Bay Road



Photograph 2 - Residential Dwelling - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 1 and 2 |
| Title: | Site Photographs | | |



Photograph 3 - Shed 1/carport - 4029 Nelson Bay Road



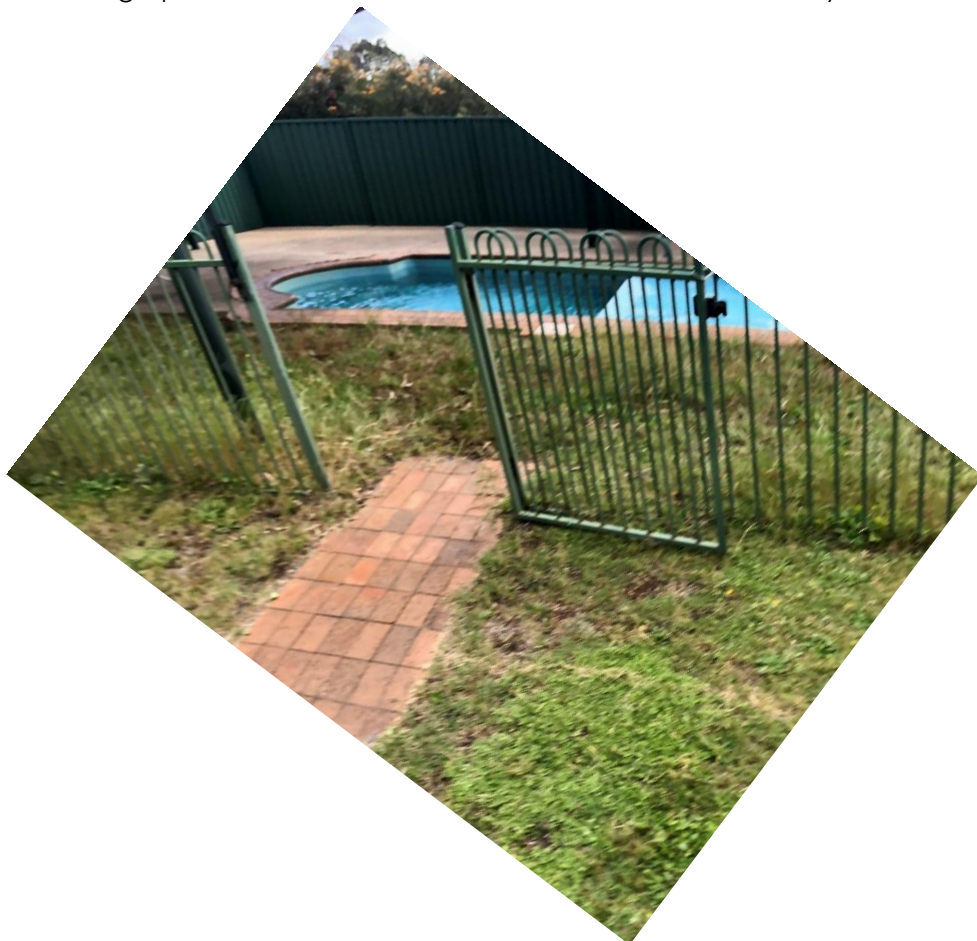
Photograph 4 -Shed 1 - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 3 and 4 |
| Title: | Site Photographs | | |



Photograph 5 - Portable shower/toilet block - 4029 Nelson Bay Road



Photograph 6 - Pool area - 4029 Nelson Bay Road




| | | | |
|-----------|---|-------------|----------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 5 and 6 |
| Title: | Site Photographs | | |



Photograph 7 - Former Chicken Pen - 4029 Nelson Bay Road



Photograph 8 - Septic Tank - 4029 Nelson Bay Road

| | | | | |
|--|-----------|---|-------------|----------------|
|  | Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| | Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| | Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 7 and 8 |
| | Title: | Site Photographs | | |



Photograph 9 - Shipping Container - 4029 Nelson Bay Road



Photograph 10 - Storage of metal, timber, tyres - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|-----------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 9 and 10 |
| Title: | Site Photographs | | |



Photograph 11 - Imported Fill Mounds - 4029 Nelson Bay Road



Photograph 12 - SP1 - Timber off cuts - 4029 Nelson Bay Road




| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 11 and 12 |
| Title: | Site Photographs | | |



Photograph 13 - SP2 - Sandy Gravel - 4029 Nelson Bay Road



Photograph 14 - Fibreglass fridge - 4029 Nelson Bay Road

| | | | | |
|--|-----------|---|-------------|------------------|
|  | Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| | Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| | Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 13 and 14 |
| | Title: | Site Photographs | | |



Photograph 15 - Waste Storgae Area - 4029 Nelson Bay Road



Photograph 16 - Waste Storgae Area - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 15 and 16 |
| Title: | Site Photographs | | |



Photograph 17 - Shed 2 - 4029 Nelson Bay Road



Photograph 18 - Area of fill (concrete/bricks/gravel) - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 17 and 18 |
| Title: | Site Photographs | | |



Photograph 19 - Boat Trailer - 4029 Nelson Bay Road



Photograph 20 - Storage of waste (205L drums, plastics, glass) - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 19 and 20 |
| Title: | Site Photographs | | |



Photograph 21 - Storage Area - Eastern Boundary - 4029 Nelson Bay Road



Photograph 22 - SP3 - Timber chipboard - 4029 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 21 and 22 |
| Title: | Site Photographs | | |



Photograph 23 - SP4 - timber, plastics, pallets, tyres, metal - 4029 Nelson Bay Road



Photograph 24 - Residential dwelling - 4045 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 23 and 24 |
| Title: | Site Photographs | | |



Photograph 25 - Shed 3 - 4045 Nelson Bay Road



Photograph 26 - Gravel driveway - 4045 Nelson Bay Road




| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 25 and 26 |
| Title: | Site Photographs | | |



Photograph 27 - Hose and potential groundwater bore pump - 4045 Nelson Bay Road



Photograph 28 - Metal Storage - 4045 Nelson Bay Road

| | | | | |
|--|-----------|---|-------------|------------------|
|  | Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| | Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| | Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 27 and 28 |
| | Title: | Site Photographs | | |



Photograph 29 - Waste storage area - 4045 Nelson Bay Road



Photograph 30 - SP6 - 4045 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 29 and 30 |
| Title: | Site Photographs | | |



Photograph 31 - SP7 - 4045 Nelson Bay Road



Photograph 30 - Tree/vegetation stockpiles - 4045 Nelson Bay Road



| | | | |
|-----------|---|-------------|------------------|
| Client: | Hometown Australia Holdings | Project No: | NEW22P-0199-AA |
| Project: | Preliminary Contamination Assessment | Date: | 25/10/2022 |
| Location: | 4029 to 4045 Nelson Bay Road, Bobs Farm | No: | 31 and 32 |
| Title: | Site Photographs | | |

APPENDIX F:

NSW EPA Records

Public registers[+ POEO Public Register](#)[- Contaminated land record of notices](#)[About the record of notices](#)[List of notified sites](#)[Tips for searching](#)[Disclaimer](#)[Dangerous goods licences](#)[Pesticide licences](#)[Radiation licences](#)[Home](#) [Public registers](#) [Contaminated land record of notices](#)

Search results

Your search for: LGA: PORT STEPHENS COUNCIL

Matched 1 notice relating to 1 site.

[Search Again](#)[Refine Search](#)

| Suburb | Address | Site Name | Notices related to this site |
|--------|-----------------|--------------------------------------|------------------------------|
| TOMAGO | 25 School DRIVE | Former Hydromet Site | 1 former |

Page 1 of 1

26 October 2022

| | | | | | | |
|------------|---|--|-----------------|---------------------------------------|--------------|-------------|
| BOAMBEE | Lindsay Bros transport depot site | 542 Pacific HIGHWAY | Other Petroleum | Regulation under CLM Act not required | -30.33106848 | 153.0802985 |
| BOAMBEE | BP-branded (former Mobil) Boambee Service Station | 601 Pacific HIGHWAY | Service Station | Regulation under CLM Act not required | -30.33544287 | 153.0817266 |
| BOBS FARM | Bob's Farm | 15 Fenningham Island ROAD | Other Industry | Regulation under CLM Act not required | -32.74867207 | 152.0316217 |
| BOGGABILLA | Former Caltex Service Station | 90 Simpson Street, corner Newell HIGHWAY | Service Station | Regulation under CLM Act not required | -28.60654029 | 150.3571056 |

List current as at 10 October 2022

16 of 123

Public registers

– POEO Public Register

[Licences, applications and notices search](#)
[Penalty notices search](#)
[Enforceable undertakings search](#)
[Enforceable undertakings media releases](#)
[Exemptions and approvals search](#)
[Prosecutions or civil proceedings search](#)
[Terms of use: POEO public register](#)
[Licensing FAQs](#)
[Home](#) [Public registers](#) [POEO Public Register](#) [Licences, applications and notices search](#)

Search results

Your search for: **POEO Licences** with the following criteria

Suburb - Bobs Farm

returned 1 results

[Export to excel](#)

1 of 1 Pages

[Search Again](#)

| <u>Number</u> | <u>Name</u> | <u>Location</u> | <u>Type</u> | <u>Status</u> | <u>Issued date</u> |
|---------------|----------------------------|--|-------------|---------------|--------------------|
| <u>11710</u> | HOLCIM (AUSTRALIA) PTY LTD | Nelson Bay Road , BOBS FARM,POEO licence NSW 2316 | | Issued | 21 Jan 2003 |

26 October 2022

Contaminated land

Managing contaminated land

Notified and regulated
contaminated land

NSW site auditor scheme

Statutory guidelines

Non-statutory guidance
documents

Underground petroleum storage
systems

PFAS investigation program

PFAS investigation process

PFAS investigation program
FAQs

Regulation of PFAS firefighting
foams

Other contamination issues

Stay up to date

The NSW Government PFAS Investigation Program

View a map of the sites in NSW that may be contaminated with PFAS, learn how to reduce your exposure to these dangerous chemicals, and read about our investigation of the issue.

The EPA is leading an investigation program to assess the legacy of PFAS use across NSW. With the assistance of the NSW PFAS Technical Advisory Group, which includes NSW Health, Department of Primary Industries and the Office of Environment and Heritage, we provide impacted residents with tailored, precautionary dietary advice to help them reduce any exposure to PFAS.

Current investigations are focused on sites where it is likely that large quantities of PFAS have been used. The EPA is currently investigating PFAS at these sites:

Map view

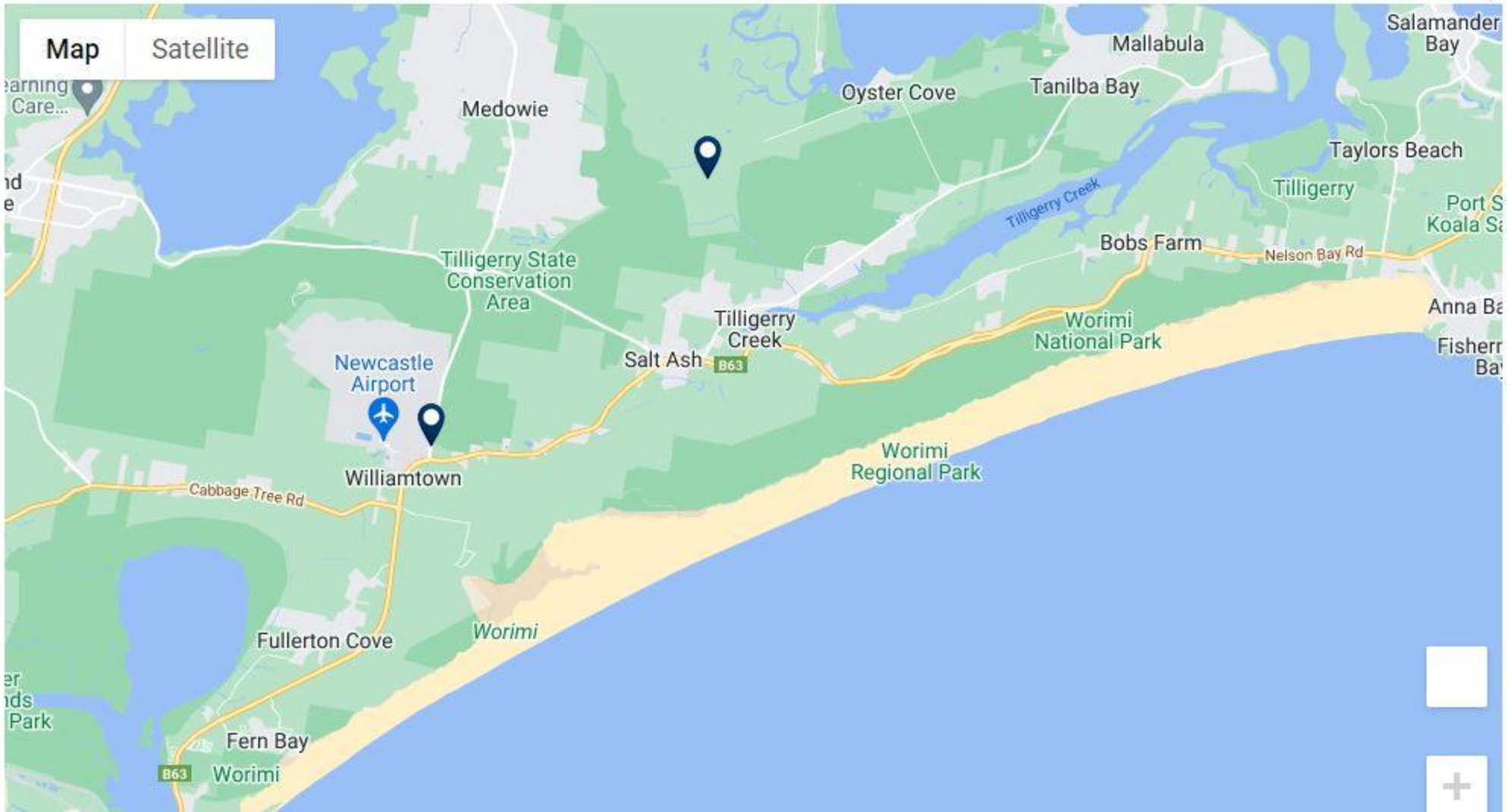
List view

Filter by

No filter set

Showing 2 of 49 sites

[Reset map](#)



Contaminated land

Managing contaminated land



Notified and regulated
contaminated land



NSW site auditor scheme



Statutory guidelines

Non-statutory guidance
documents

Underground petroleum storage
systems



PFAS investigation program



PFAS investigation process

PFAS investigation program
FAQs

Regulation of PFAS firefighting
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Current investigations are focused on sites where it is likely that large quantities of PFAS have been used. The EPA is currently investigating PFAS at these sites:

| Map view | | List view | |
|---|---|---|--|
| Clear filters | | <input checked="" type="checkbox"/> Only show sites within current map view | |
| | | Showing 2 of 49 sites | |
| Organisation | Address | Status | |
| <input type="text" value="**filter by organisation**"/> | <input type="text" value="**filter by address*"/> | <input checked="" type="checkbox"/> PFAS investigation site | |
|  Salt Ash weapons range more information | Salt Ash NSW | PFAS investigation site | |
|  Williamtown RAAF Base more information | 49 Medowie Road, Williamtown, 2314 | PFAS investigation site | |

Tags:

PFAS

APPENDIX G:

Section 10.7 Certificate

**PLANNING CERTIFICATE PURSUANT TO
SECTION 10.7 ENVIRONMENTAL PLANNING
AND ASSESSMENT ACT 1979**

APPLICANT DETAILS:

**Libby Betz
2 Murray Dwyer Cct
mayfield west
New South Wales 2304**

Reference: NEW22P Bobs Farm

Issue Date: 14/10/2022

PROPERTY DESCRIPTION:

**4029 Nelson Bay Road BOBS FARM NSW 2316 Parcel No: 15250
LOT: 3622 DP: 622485**

Disclaimer

Information contained in this certificate relates only to the land for which this certificate is issued on the day it is issued. This information is provided in good faith and Council shall not incur any liability in respect of any such advice. Council relies on state agencies for advice and accordingly can only provide that information in accordance with the advice. Verification of the currency of agency advice should occur. For further information, please contact Council by telephoning (02) 4980 0255 or email plancert@portstephens.nsw.gov.au.

Title Information

Title information shown on this Planning Certificate is provided from Council's records and may not conform to information shown on the current Certificate of Title. Easements, restrictions as to user, rights of way and other similar information shown on the title of the land are not provided on this planning certificate.

Inspection of the land

The Council has made no inspection of the land for the purposes of this Planning Certificate.

PART A: INFORMATION PROVIDED UNDER SECTION 10.7(2)

Matters contained in this certificate apply only to the land on the date of issue.

1. Names of relevant planning instruments and development control plans

(1) The name of each environmental planning instrument and development control plan that applies to the development on the land.

State Environmental Planning Policies

The relevant chapters of each State Environmental Planning Policy that apply to the land are listed below:

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
All chapters

State Environmental Planning Policy (Housing) 2021
All chapters

State Environmental Planning Policy (Building Sustainability Index BASIX) 2004
All chapters

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development
All chapters

State Environmental Planning Policy (Planning Systems) 2021
Chapter 2 State and regional development
Chapter 3 Concurrences and consents

State Environmental Planning Policy (Precincts - Regional) 2021
Chapter 2 State significant precincts

State Environmental Planning Policy (Primary Production) 2021
Chapter 2 Primary production and rural development

State Environmental Planning Policy (Resources and Energy) 2021
Chapter 2 Mining, petroleum production and extractive industries

State Environmental Planning Policy (Transport and Infrastructure) 2021
Chapter 2 Infrastructure
Chapter 3 Educational establishments and childcare facilities

State Environmental Planning Policy (Resilience and Hazards) 2021
Chapter 3 Hazardous and offensive development
Chapter 4 Remediation of land
Chapter 2 Coastal management 2018

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 7 Canal estate development
Chapter 3 Koala habitat protection 2020

Local Environmental Plan

Port Stephens Local Environmental Plan 2013

Development Control Plans

The name of each development control plan that applies to the carrying out of development on the land.

Port Stephens Development Control Plan 2014.

- (2) The name of each proposed environmental planning instrument and draft development control plan, which is or has been subject to community consultation or public exhibition under the Act, that will apply to the carrying out of development on the land (unless it has been more than 3 years since the end of the public exhibition period or if the Secretary has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved).

Draft State Environmental Planning Policies

No draft State Environmental Planning Policies affect the site the subject of this Certificate.

Draft Local Environmental Plan

No draft Local Environmental Plans currently exist which affect the site the subject of this certificate.

Draft Development Control Plan

The name of each draft development control plan that applies to the carrying out of development on the land.

No draft development control plan applies to the carrying out of development on the land.

2. Zoning and land use under relevant planning instruments

For each environmental planning instrument or proposed instrument referred to in clause 1 (other than a State Environmental Planning Policy or proposed State Environmental Planning Policy).

a) The identity of the zone –

RU2 Rural Landscape

The land is zoned RU2 Rural Landscape under the provisions of Part 2 in the Port Stephens Local Environmental Plan 2013.

b) The purposes for which development in the zone –

ITEM 2 - May be carried out without development consent

Extensive agriculture; Home occupations; Intensive plant agriculture

ITEM 3 - May be carried out with development consent

Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industries; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Flood

mitigation works; Forestry; Function centres; Garden centres; Group homes; Helipads; High technology industries; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Landscaping material supplies; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Restaurants or cafes; Roads; Roadside stalls; Rural industries; Rural supplies; Secondary dwellings; Tourist and visitor accommodation; Turf farming; Veterinary hospitals; Water recreation structures; Water supply systems

ITEM 4 - Is prohibited

Backpackers' accommodation; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3

c) Additional permitted uses

The land subject of this certificate is not listed in Schedule 1 - Additional Permitted Uses in the Local Environmental Plan 2013.

d) Development standards for the erection of a dwelling house

Clause 4.2B in the Port Stephens Local Environmental Plan 2013 includes a development standard that fixes a minimum land dimension for the erection of a dwelling-house. This clause applies to the land. The minimum lot size for the erection of a dwelling-house is identified on the Lot Size Map.

e) Whether the land is an area of outstanding biodiversity value

No, the land is not identified in an area of outstanding biodiversity value under the *Biodiversity Conservation Act 2016*.

f) Whether the land is in a conservation area

The land is not located within a heritage conservation area under the Port Stephens Local Environmental Plan 2013.

g) Whether an item of environmental heritage is located on the land

The land is not identified as containing an item of environmental heritage significance under the provisions in Port Stephens Local Environmental Plan 2013.

3. Contributions Plans

(1) The name of each contributions plan applying to the land

Port Stephens Local Infrastructure Contributions Plan 2020.

(2) The land is not in a special contributions area under the Act, Division 7.1.

Note. These documents specify development contributions required towards the cost of providing additional community services or facilities if a property is developed. They are available on request from Council or can be viewed www.portstephens.nsw.gov.au.

4. Complying Development

- (1) Whether or not the land to which the certificate relates is land on which complying development may be carried out under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*?

Housing Code

Complying development under the General Housing Code MAY be carried out on the land.

Inland Code

Complying development under the Inland Code MAY be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY be carried out on the land.

Low Rise Medium Density Code

Complying development under the Low Rise Medium Density Housing Code MAY be carried out on the land.

Greenfield Housing Code

Complying development under the Greenfield Housing Code MAY be carried out on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY be carried out on the land.

General Development Code

Complying development under the General Development Code MAY be carried out on the land.

Commercial and Industrial Alterations Code

Complying development under the Commercial and Industrial alterations Code MAY be carried out on the land.

Commercial and Industrial (New Buildings and Additions) Code

Complying development under the Commercial and Industrial (New Buildings and Additions) Code MAY be carried out on the land.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities code MAY be carried out on the land.

Subdivisions Code

Complying development under the Subdivision Code MAY be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY be carried out on the land.

Fire Safety Code

Complying development under the Fire Safety Code MAY be carried out on the land.

(2) If complying development may not be carried on the land under the above codes, it is because of the provisions of Clauses 1.17A(1)(c) to (e), (2), (3), or (4), 1.18(1)(c3) or 1.19 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Council does not have sufficient information to ascertain the reason why complying development may not be carried out under the Policy. Contact Councils duty officer on (02) 4988 0255 for any enquiries relating to the reason why complying development may not be carried out on the land.

(3) If the land is a lot to which the Housing Code, Rural Housing Code, Low Rise Medium Density Housing Code, Greenfield Housing Code, Housing Alterations Code, General Development Code, or Commercial and Industrial (New Buildings and Additions) Code (within the meaning of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*) applies, complying development may be carried out on any part of the lot that is not affected by the provisions of clauses 1.17A(1)(c) to (e), (2), (3) or (4), 1.18(1)(c3) or 1.19 of that Policy.

(4) There are no variations to the exempt development codes under clause 1.12 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* in relation to the land.

5. Exempt development

(1) Whether the land is on land which exempt development may be carried out under each of the exempt development codes under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Division 1 General Code

Exempt development under the General Exempt Development Code MAY be carried out on the land.

Division 2 Advertising and Signage Code

Exempt development under the Advertising and Signage Code MAY be carried out on the land.

Division 3 Temporary Uses and Structures Code

Exempt development under the Temporary Uses and Structures Code MAY be carried out on the land.

Note: Clause 1.16(1)(c) specifies that exempt development must not be carried out on land that is, or on which there is, an item that is listed on the State Heritage Register under the *Heritage Act 1977*, or that is subject to an interim heritage order under that Act
Council does not have sufficient information to ascertain whether the land is listed on the State Heritage Register under the *Heritage Act 1977*, or subject to an interim heritage order under that Act.

Note: If the land is a lot to which the General Code, Advertising and Signage Code, and Temporary Uses Code (within the meaning of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*) applies, exempt development may be carried out on any part of the lot that is not affected by the provisions of clause 1.16(1)(b1)–(d) or 1.16A of that Policy.

6. Affected building notices and building product rectification orders

(1) Whether or not the council is aware that –

- a) There is any affected building notice in force in relation to the land

There is no affected building notice in force in respect of the land.

- b) A building product rectification order is in force in relation to the land that has not been fully complied with

No

- c) Any notice of intention to make a building product rectification order has been given in respect of the land and is outstanding.

No

Note: In this section, *affected building notice* has the same meaning as in the *Building Products (Safety) Act 2017*, Part 4. *Building product rectification order* has the same meaning as in the *Building Products (Safety) Act 2017*.

7. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in section 1 makes provision in relation to the acquisition of the land by a public authority, as referred to in Section 3.15 of the *Environmental Planning and Assessment Act 1979 (the Act)*.

The Port Stephens Local Environmental Plan 2013 DOES NOT provide for the acquisition of this land, or part thereof, by a public authority as referred to in Section 3.15 of the Act.

8. Road widening and road realignment

Council's records indicate that the land the subject of this Certificate is not affected by any road widening or road realignment under:- (1) Section 25 of the Roads Act 1993; or (2) any environmental planning instrument; or (3) any resolution of the Council.

9. Flood related development controls information

No part of the land is within the flood planning area, or between the flood planning area and the probable maximum flood, and therefore IS NOT subject to flood related development controls.

10. Council and other public authority policies on hazard risk restrictions

Whether the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or any other risk (other than flooding)

Council's records indicate that the land subject of this certificate IS NOT affected by RAAF Base Williamtown & Salt Ash Air Weapons Range 2025 Australian Noise Exposure Forecast (10th August 2011).

11. Bush fire prone land

Whether or not some, all, or none of the land is bush fire prone land.

All of the land is identified as bush fire prone land in Council's records. Further details of any applicable restrictions on development of the land may be obtained on application to Council. For further information, please contact Council's Duty Officer by telephoning 49880115.

12. Loose-fill asbestos insulation

Whether or not the land includes any residential premises (as defined in Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on a register of residential premises that contain or have contained loose-fill asbestos insulation.

No, the land does not include any residential dwelling identified on the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation. For further information, please contact Department of Fair Trading by telephoning 13 77 88 or go to their website at www.fairtrading.nsw.gov.au.

13. Mine Subsidence

Whether or not the land is proclaimed to be a mine subsidence district, within the meaning of the the *Coal Mine Subsidence Compensation Act 2017*.

No, the land is not within a proclaimed or declared mine subsidence district.

14. Paper subdivision information

- (1) The name of any development plan adopted by a relevant authority that applies to the land or is proposed to be subject to a consent ballot.
- (2) The date of any subdivision order that applies to the land
- (3) Words and expressions used in this clause have the same meaning as they have in Part 16C of *Environmental Planning and Assessment Regulation 2021*.

Not applicable.

15. Property vegetation plans

If the land is land to which a property vegetation plan under the *Native Vegetation Act 2003* (and that continues in force) applies, a statement to that effect (but only if the council has been notified of the existence of the plan by the person or body that approved the plan under that Act).

No, Council has not been notified of any Property Vegetation Plans under the Native Vegetation Act 2003 (and that continues in force) that affect the land to which this certificate applies.

16. Biodiversity stewardship sites

If the land is a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*, a statement to that effect (but only if the council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage).

No, Council has not been notified that the land is a biodiversity stewardship site.

Note. Biodiversity stewardship agreements include biobanking agreements under the *Threatened Species Conservation Act 1995*, Part 7A that are taken to be biodiversity stewardship agreements under the *Biodiversity Conservation Act 2016*, Part 5.

17. Biodiversity certified land

If the land is biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*, a statement to that effect.

No, Council has not been notified that the land is biodiversity certified land.

Note. Biodiversity certified land includes land certified under the *Threatened Species Conservation Act 1995*, Part 7AA that is taken to be certified under the *Biodiversity Conservation Act 2016*, Part 8.

18. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

The land is NOT affected by an order under the *Trees (Dispute Between Neighbours) Act 2006* (of which Council is aware).

19. Annual charges under *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works

If the *Coastal Management Act 2016* applies to the council, whether the owner, or a previous owner, of the land has given written consent to the land being subject to annual charges under the *Local Government Act 1993*, section 496B, for coastal protection services that relate to existing coastal protection works.

No, the land is not subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services relating to existing coastal protection works to which the owner (or any previous owner) of the land has consented.

Note. "existing coastal protection works" are works to reduce the impact of coastal hazards on land (such as seawalls, revetments, groynes and beach nourishment) that existed before the commencement of section 553B of the *Local Government Act 1993*.

20. Western Sydney Aerotropolis

Not applicable to the Port Stephens Local Government Area.

21. Development consent conditions for seniors housing

If State Environmental Planning Policy (Housing) 2021, Chapter 3, Part 5 applies to the land, any conditions of a development consent granted after 11 October 2007 in relation to the land that are of the kind set out in that Policy, section 88(2).

Council is unable to provide site-specific information on any conditions of a development consent granted after 11 October 2007 in relation to Clause 88(2) of the *State Environmental Planning Policy (Housing) 2021*, that may apply to the land.

22. Site compatibility certificates and development consent conditions for affordable rental housing

(1) Whether there is a current site compatibility certificate under *State Environmental Planning Policy (Housing) 2021*, or a former site compatibility certificate (of which Council is aware) in relation to proposed development on the land.

Council is not aware of a current site compatibility certificate issued under *State Environmental Planning Policy (Housing) 2021*.

- (2) If *State Environmental Planning Policy (Housing) 2021*, Chapter 2, Part 2, Division 1 or 5 applies to the land, a statement setting out terms of a kind referred to in the Policy, clause 21(1) or 40(1).

The land is not affected by any terms of a kind (of which Council is aware) referred to in Chapter 2, Part 2, Division 1 or clause 21(1) or 40(1) of *State Environmental Planning Policy (Housing) 2021* in respect of development on the land.

Additional matters

Note. The following matters are prescribed by section 59 (2) of the Contaminated Land Management Act 1997 as additional matters to be specified in a planning certificate:

- (a) Whether or not the land to which the certificate relates is significantly contaminated land within the meaning of that Act.
- (b) Whether or not the land to which the certificate relates is subject to a management order within the meaning of that Act.
- (c) Whether or not the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of the Act.
- (d) Whether or not the land to which this certificate relates is subject to an ongoing maintenance order within the meaning of that Act.
- (e) Whether or not the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such statement has been provided at any time to the local authority issuing the certificate.

There are no prescribed matters under section 59(2) of the Contaminated Land Management Act 1997 to be disclosed.

PART B: INFORMATION PROVIDED UNDER SECTION 10.7(5)

This information is provided in accordance with section 10.7(5) of the *Environmental Planning and Assessment Act 1979*. Section 10.7(6) states that Council shall not incur any liability in respect of advice provided in good faith pursuant to section 10.7(5) of the Act. If this information is to be relied upon, it should be independently checked.

Heritage

Port Stephens Council must take into consideration the likely effect of proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity. Please contact Council's Development Assessment and Compliance Section by telephoning 49880115.

Aboriginal Archaeology

When determining a development application on known or potential archaeological sites of both Aboriginal and non-Aboriginal heritage significance, Port Stephens Council must consider an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site. Please contact Council's Development Assessment and Compliance Section on 49880115 for more information.

Aircraft Noise

All areas of the Port Stephens Local Government area may be affected by aircraft noise from time to time. RAAF Base Williamtown – Newcastle Airport and Salt Ash Air Weapons Range are located within the Port Stephens Local

Government Area. Further information can be obtained from the Commonwealth Department of Defence website and from the Port Stephens Council Strategy and Environment Section and you are advised to make further enquiries.

Koala Habitat

Parts of the Port Stephens Local government Area are affected by Koala Habitat and subject to the Port Stephens Comprehensive Koala Plan of Management 2002 made under State Environmental Planning Proposal No. 44. Further information can be obtained from Council's Strategy & Environment Section on 49880326 or email plancert@portstephens.nsw.gov.au.

Invasive Species

Parts of the Port Stephens Local Government Area contain plants that pose a risk according to the *Biosecurity Act 2015* which may restrict the use of the land. For further information please contact Council's Strategy & Environment Section on 4988 0326 or email weeds@portstephens.nsw.gov.au

Development consents relating to the land

Please contact Customer Relations on (02) 4988 0255, for any enquiries regarding development consent over the land in the past 5 years.

Issued by Port Stephens Council Development Services Group,
on behalf of **Tim Crosdale, General Manager**