
Preliminary Contamination Assessment

39, 39A and 41 Brocklesby
Road, Medowie NSW

NEW23P-0009-AA
8 February 2023



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Executive Summary

Qualtest Laboratory NSW Pty Ltd (Qualtest) has carried out a Preliminary Contamination Assessment (PCA) on behalf of McCloy Project Management Pty Ltd, for the site located at 39, 39A and 41 Brocklesby Road, Medowie NSW (the Site).

The site comprises Lot 2 DP508780, Lot 300 DP625002 and Lot 301 DP625002 and is about 5.1ha in area. The site is currently zoned RU2 Rural Landscape and is proposed to be rezoned to R2 – Low Density Residential.

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 the majority of the site has been used for large scale cropping/orchards from at least the 1950's to the 1990's. From the 1990's the site has been used as rural residential properties, including agistment of horses and some small areas of gardens/fruit trees.

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 39A Brocklesby Road and/or cladding of residential dwelling at 41 Brocklesby 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 equipment 205L metal and plastic drums (empty), timber, metal, plastic, bricks, tyres, trailers, sheets of corrugated potential ACM, bath tubs and small quantities of paints, fuels, degreasers.
4. Septic tanks located on the site - Septic tank soak aways and adsorption trenches, potential leaks of effluent.
5. Former Cropping/Orchards - Potential for pesticide herbicide and other farming related contamination.

The Preliminary Conceptual Site Model (CSM) indicated that there was a potential for soil and surface water 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.

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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Figure 2 – Lot Location Plan

Figure 3A – Site Features Plan – 39/39A Brocklesby Road, Medowie

Figure 3B – Site Features Plan – 41 Brocklesby Road, Medowie

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1.0 Introduction

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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:	39, 39A and 41 Brocklesby Road, Medowie, NSW
Approximate site area and dimensions:	Approx. 5.1 ha Approx. 135m wide (north to south) by 365m long (east to west) at its widest and longest points
Title Identification Details:	Lot 2 DP508780, Lot 300 DP625002 and Lot 301 DP625002 within the Port Stephens local government area, Parish of Stowell, County of Gloucester
Current Zoning	RU2 Rural Landscape
Current Ownership:	Private Individuals and Brocklesby Road Pty Limited
Current Occupier:	Residential Landuse
Previous and Current Landuse:	Farming/Residential Landuse
Proposed Landuse:	Proposed to be rezoned to R2 - Low Density Residential
Adjoining Site Uses:	North – rural residential and bushland East – Brocklesby Road, followed by residential South – rural residential and Bushland West – Residential
Site Coordinates for approx. centre of site:	32°44'44.52"S 151°52'29.17"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 approximately 30m AHD.

The site was observed to be relatively flat, with a slight mound in the centre of the site. Gentle slopes were observed to the east and west from the centre of the site. Rain falling on the site would be expected to infiltrate into the site soils.

Excess surface water which falls on the eastern portion of the site is expected to flow into municipal stormwater drains located on Brocklesby Road, located offsite along the eastern boundary. Excess surface water which falls on the western portion of the site is expected to flow into a newly constructed open drain located offsite along the western boundary. Both stormwater drains are expected to discharge to Moffats Swamp, located 1.5km to the east of the site.

2.3 Regional Geology

The 1:100,000 Nelson Bay Coastal Quaternary Geological Maps indicates that the site is underlain Permian to Triassic sedimentary rocks, including extensive coal measures (Sydney Basin).

2.4 Hydrogeology

Groundwater beneath the site is anticipated to be present in an unconfined aquifer within residual soils/weathered rock at depths greater than 3m below ground surface (bgs).

Groundwater flow direction is anticipated to flow to the east discharging to Moffats Swamp located 1.5km to the east. Moffats Swamp drains towards Port Stephens located about 6km east of the site.

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	Final Depth (m)	Water Bearing Zones (m)
GW013016	01/01/1956	General Use	Central southern portion of the site	47.90	-

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 (espad.environment.nsw.gov.au) indicates that the site is located in an area of no known occurrence.

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 2 DP508780, Lot 300 DP625002 and Lot 301 DP625002);
- A review of aerial photography from the past 69 years;
- A review of Section 10.7 Certificate for Lot 300 DP625002 and Lot 2 DP508780 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 tenants of 39A and 41 Brocklesby Road, Medowie; 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 1911 was obtained. The results of the search are included in Appendix C and a summary is presented below in Tables 3.1.1, 3.1.2 and 3.1.3.

Table 3.1.1: Summary of Historical Titles – 41 Brocklesby Road (Lot 2 DP508780)

Date	Owner
05 Jul 2006 - to date	Brocklesby Road Pty Limited (ACN 644 527 257)
24 Jan 1975	Peter Colin Webster, business proprietor Christine Mary Webster, business Proprietor
25 Sep 1967	William Charles Gilbert Voysey, painter Bonny Patricia Voysey, his wife
29 Aug 1947	Bert Pegg, farmer
20 Jun 1934	The Closer Settlement Limited
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor

Table 3.1.2: Summary of Historical Titles – 39 Brocklesby Road (Lot 301 DP625002)

Date	Owner
05 Jul 2006 - to date	Debbie Maree Graham
16 Feb 1987	Anthony Graham, Debbie Maree Graham
29 Aug 1947	Bert Pegg, farmer
20 Jun 1934	The Closer Settlement Limited
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor

Table 3.1.3: Summary of Historical Titles – 39A Brocklesby Road (Lot 300 DP625002)

Date	Owner
13 Nov 2020 – to date	Brocklesby Road Pty Limited (ACN 644 527 257)
02 Oct 2007	Darren Gregory Gough, Yvonne Karen Gough
10 Dec 1996	Norman Graham Shaw, Frances Lorraine Shaw
07 Jan 1992	James Norman Eaglen, Sharon Lynette Eaglen
12 Jul 1990	Douglas Holman, Lillian Joyce Holman, his wife
17 Aug 1982	Robert James Johnson, Katherine Johnson
29 Aug 1947	Bert Pegg, farmer

Date	Owner
20 Jun 1934	The Closer Settlement Limited
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor

The historical title search indicated that, the site has mainly been owned by private individuals (surveyor, farmer, painter, business proprietor) from 1911 to the present day for Lot 301 DP625002 and until 2020 for Lot 300 DP625002 and Lot 2 DP508780. The current lot owners Brocklesby Road Pty Limited, purchased the site in 2020.

The Closer Settlement Limited also owned the site between 1934 and 1947. Based on information provided on the ARDC Research Data Australia web page (<https://researchdata.edu.au/closer-settlement-board-1905-1918/490149>), The Closer Settlement Limited was understood to be a government organisation responsible for the administration of closer settlement and subsequently soldier settlement.

The organisation was authorised to purchase and allocate land to applicants as farm allotments, agricultural labourers' allotments and workmen's home allotments under conditional purchase leases which required lessees to fence the land, to destroy vermin and noxious weeds and to make other improvements. The leases were granted subject to residence requirements and lessees of agricultural labourers' and workmen's home allotments were required to erect a dwelling within one year.

3.2 Aerial Photograph Review

Aerial photographs of the site from 1954, 1966, 1976, 1984, 1998 and 2006 were obtained from the NSW Government Spatial Portal (<https://portal.spatial.nsw.gov.au/>), and satellite images from Google Earth for 2016 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	39 Brocklesby Road/39a Brocklesby Road	41 Brocklesby Road	Surrounding Land
1954	The lot appears to consist of bushland/vegetation in the centre of the site, with crops/orchards present in the eastern and western portions. Some small access tracks appear to be present running through the bushland. A residential dwelling appears to be present in central east of the lots.	The lot appears to consist of bushland/vegetation in the centre and north eastern portion of the site, with crops/orchards encompassing the remainder of the eastern and western portions.	The surrounding land uses appear to consist of bushland, farming and rural residential land. Brocklesby Road is present to the east of the site.
1966	The eastern portion of the lot appears to have been cleared of crops. A paddock and an area surrounding the residential dwelling appears to be	Bushland and crops in the eastern portion of the lot appears to have been cleared. A driveway appears to be present running in an east/west	Land to the east of the site appears to have been cleared and developed as a rural residential property. Additional residential

Year	39 Brocklesby Road/39a Brocklesby Road	41 Brocklesby Road	Surrounding Land
	<p>darker, indicating thick grass or potentially placed fill material.</p> <p>The remainder of the lot appears similar to the 1954 photograph.</p>	<p>direction from Brocklesby Road towards the bushland in the centre of the lot.</p> <p>The remainder of the lot appears similar to the 1954 photograph.</p>	<p>development has also taken place in the larger surrounding area.</p>
1976	<p>Bushland in the centre of the lot has been cleared. Cropping appears to be present across the majority of the lot, with the exception of the south eastern corner surrounding the residential dwelling.</p> <p>A new shed/structure appears to have been constructed along the southern boundary in the centre of the lot.</p>	<p>A portion of the bushland has been cleared and a residential dwelling constructed in the central portion of the lot. An area of land disturbance is also present to the north east of the residence.</p> <p>A shed/structure appears to have been constructed in the centre of the site, to the west of the bushland. The majority of the crops in the western portion of the site appear to have been removed, with just two small areas remaining.</p>	<p>A large residential subdivision has been developed to the north/north west of the site.</p> <p>The remaining surrounding area appears similar to the 1966 photograph.</p>
1984	<p>The Lot has been separated into 39 Brocklesby Road (Lot 301) and 39A Brocklesby Road (Lot 300) with a new residential dwelling being constructed in the north eastern portion and a shed/structure being developed in the south western portion of Lot 300.</p> <p>The cropping has been cleared from the lots with the exception of crop/orchard in the western portion of the site.</p>	<p>Vegetation appears to be present along the southern boundary of the lot.</p> <p>The remainder of the lot appears relatively unchanged from the 1976 aerial photograph.</p>	<p>Additional residential development has occurred to the north of the site.</p> <p>The remaining surrounding area appears relatively unchanged from the 1976 aerial photograph.</p>

Year	39 Brocklesby Road/39a Brocklesby Road	41 Brocklesby Road	Surrounding Land
1998	<p>The orchard in the western portion of Lot 301 has been removed.</p> <p>An additional shed and house alterations/extensions appear to have been carried out in the eastern portion of Lot 301.</p> <p>The residential dwelling on Lot 300 also appears to have had additions/alterations. An additional shed/structure also appears to be present in the western portion of the Lot.</p> <p>A fence/vegetation appears present along the southern and western boundary of Lot 300.</p>	<p>Bushland is now present in the western portion of the lot.</p> <p>A swimming pool has been installed to the south of the residential dwelling.</p> <p>An additional shed/structure also appears to be present in the centre of the site, to the west of the bushland.</p>	<p>Additional residential development has occurred to the north and east of the site.</p> <p>The remaining surrounding area appears relatively unchanged from the 1984 aerial photograph.</p>
2006	<p>A dam has been constructed to the west of the residential dwelling on Lot 301. A number of small stockpiles also appear to be present along the western boundary of Lot 301 and small structures/equipment appear to be present in the central portion of the lot.</p> <p>Lot 300 and the remainder of Lot 301 appears relatively unchanged from the 1998 aerial photograph.</p>	<p>The structures/sheds in the central portion of the lot, to the west of the bushland, appear to have been removed.</p> <p>The remainder of the lot appears relatively unchanged from the 1998 aerial photograph.</p>	<p>Additional residential development has occurred to the north and east of the site.</p> <p>The remaining surrounding area appears relatively unchanged since the 1998 aerial photograph.</p>

Year	39 Brocklesby Road/39a Brocklesby Road	41 Brocklesby Road	Surrounding Land
2016	<p>A shed located to the west of the residential dwelling on Lot 301 appears to have been removed, with the concrete slab remaining. The shed/structure in the central portion of Lot 301 also appears to have been removed.</p> <p>A shed/structure in the western portion of Lot 300 has been removed and a new shed constructed.</p> <p>The remainder of the lots appear relatively unchanged from the 2006 aerial photograph.</p>	<p>The lot appears relatively unchanged from the 2006 aerial photograph.</p> <p>Vegetation density appears to have grown across the Lot.</p>	<p>The surrounding area appears relatively unchanged since the 2006 aerial photograph.</p>
2022	<p>The lots appear relatively unchanged from the 2016 aerial photograph</p>	<p>The lot appears relatively unchanged from the 2016 aerial photograph.</p>	<p>A large residential subdivision has been developed to the west of the site.</p> <p>The remaining surrounding area appears relatively unchanged since the 2016 aerial photograph.</p>

3.3 Site Observations

A Qualtest Environmental Scientist visited the site on 20 January 2023. 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:

39 Brocklesby Road (Lot 301 DP625002)

- A residential dwelling was observed in the north eastern portion of the lot. The dwelling was observed to have been constructed with timber, aluminium windows and a metal roof. Garden beds were observed surrounding the residential dwelling (see Photographs 1 and 2).
- Trees/vegetation was observed along the eastern and northern boundary of the lot and a septic tank/pump observed in the north eastern corner (see Photograph 3).
- A home office building/shed was observed to the west of the residential dwelling. The office/shed was observed to have been constructed with concrete flooring, timber, aluminium windows and a metal roof. Office and house furniture was observed inside the office/shed (see Photograph 4).

- A concrete slab in good condition with no major cracks or staining was observed adjacent to the office/shed. Plants, a bath tub, metal frames, a wheel burrow and sheets of corrugate potential Asbestos Containing Materials (ACM) were observed stored on the slab (see Photographs 5 and 6).
- A gravel driveway was observed running from Brocklesby Road to a shed/carport (Shed 1) in the south eastern portion of the site. The shed/carport was constructed with metal and concrete flooring in good condition (no major cracks, some minor staining). The eastern portion of Shed 1 was used to store house hold items including; plastic buckets, metal animal cages, plastic and timber containers, a rake, small quantities (<50L) of paints, fertilisers, fuels and degreasers etc. The western portion of Shed 1 could not be accessed (see Photograph 7 and 8).
- A caravan, trailer, metal boat and house hold items (including old concrete laundry tub, a bath tub and bricks were observed stored to the west of Shed 1 (see Photograph 9).
- A dam (Dam 1) was observed to the north west of the caravan. The dam was dry, and the dam surface covered in grass. Observed within the dam was cut vegetation (including leaf litter/grass cuttings etc), bricks, carpet pieces, tyres, plastic and timber (see Photographs 10 and 11).
- A stockpile of soil (SP1), approximately 20m³, was observed to the south west of the caravan. The stockpile was observed to consists of gravelly sand, dark brown with some anthropogenic materials including a tyres, terracotta pipe, plastics and bricks (see Photograph 12).
- A shed (Shed 2) was observed to the west of SP1. The shed was constructed with metal and timber, with an earth floor. The shed was used to store timber, tyres, metal, toolboxes, bird cages, timber furniture etc. No oils, fuels or chemicals were observed stored in the shed (see Photograph 13 and 14).
- A metal shipping container was observed to the west of Shed 2. No access was provided to the shipping container (See Photograph 15).
- A metal and timber fence was observed running in a north south direction to the west of the shipping container. A metal bath tub, empty 205L drum, tyres and timber were observed stored adjacent to the fence (See Photograph 16).
- An animal shelter/shed (Shed 3) was observed in central portion of Lot 301. The shed was constructed with timber, metal and an earth floor (see photograph 17).
- Approximately six stockpiles (SP2 to SP7), approximately 5m³ each, were observed adjacent to the western boundary of the site. The stockpiles were observed to consist of gravelly clay, orange brown, likely material sourced from the site. Vegetation was observed to the west of the stockpiles along the western boundary of the site. Some empty 205L drums, metals and plastics were also observed within the vegetation (see photographs 18 and 19).

39A Brocklesby Road (Lot 300 DP625002)

- A residential dwelling was observed in the centre of the Lot. The dwelling was observed to have been constructed with brick and tile roof, with potential ACM in the eaves of the building. Garden beds were observed surrounding the dwelling. A Shed (Shed 4) was observed to the south of the residential dwelling. Shed 4 was observed to have been constructed with metal, a metal roof and concrete flooring in good condition with no major cracking or staining. The shed was observed to store house hold items including plastic crates, tools, PVC, a sink, swimming gear, tables, etc (see Photographs 20 and 21).
- A fill mound approximately 6m x 2m by 0.5m high was observed to the west of the residential dwelling. A stockpile (SP8) of vegetation and timber pallets was also observed top the west of the fill mound (see Photographs 22 and 23).
- Stored equipment/waste was also observed to the west of the residential dwelling, including an empty 205L metal drum, tiles, a motorised rotary hoe, trailer, PVC pipe, timber, suitcase,

metal fencing wire, terracotta piping, surfboard, PVC buckets etc (see Photograph 24, 25 and 26).

- A shed (Shed 5) was observed in the south western portion of the lot. The shed was observed to have been constructed with timber, metal, an earthen floor and concrete slab. The concrete slab was observed to be in fair condition with some minor staining. Bricks, roof tiles, timber, a ride on mower, metal, horse riding equipment, shelving and minor quantities (<10L) of car oil (see Photograph 27, 28 and 29).
- A small swale drain was observed running in a north south direction from the northern boundary through Shed 4 towards Lot 301 (see Photograph 30).
- Some fruit trees were observed in the western portion of the lot (see photograph 31).
- A gravel driveway was observed running in an east west direction from Shed 3 to Brocklesby Road, in the south eastern portion of the site (see Photograph 32).
- A septic tank was observed to the east of the residential dwelling and the infiltration area was observed to the east of the tank (see Photograph 33).

41 Brocklesby Road (Lot 2 DP508780)

- A residential dwelling was observed in the centre of the lot. The residential dwelling was observed to have been constructed with fibre cement sheeting (potential ACM) and a tile roof (see Photograph 34).
- A shed (Shed 6) constructed with brick, a metal roof and concrete/paved flooring was observed to the west of the dwelling. The concrete flooring was observed in a fair condition with some cracks and some staining. Timer, tools and minor quantities (<50L) of fuels, paints and degreasers were observed stored in the shed (see Photograph 35).
- A fenced inground swimming pool was observed to the south of the residential dwelling. A small metal shed, with earthen floor (Shed 7) was observed within the fenced area. The shed was observed to have stored a lawn mower, metal, pool equipment, tools, cardboard and plastic boxes. Some minor oil staining was observed on the ground surface within the shed (see photograph 36).
- A fenced garden area was observed to the west of the swimming pool (see Photograph 37).
- An imported gravel driveway was observed running in an east west direction from Brocklesby Road to the centre of the lot, along the southern boundary (see Photograph 38).
- A stockpile (SP9) approximately 22m long, between 0.5m to 2.0m wide and 0.1m to 0.5m high was observed adjacent to the driveway in the south eastern portion of the lot. SP9 was observed to contain concrete, slag and tiles (see Photograph 39).
- The eastern portion of the lot was observed to have been cleared of vegetation and was vacant (see Photograph 40).
- Fruit trees were observed in the central east of the lot. A small swale drain was observed running adjacent to the fruit trees in an east/west direction from the centre of the lot towards Brocklesby Road. Large stockpiles of mulch were observed stockpiled adjacent to the fruit trees (See Photograph 41, 42 and 43).
- A garden bed growing fruit and vegetables was observed to east of the residential dwelling, adjacent to the mulch stockpiles. A car with temporary cover was also observed to the east of the residential dwelling (see photograph 44).
- A concrete slab, in a good condition with no major cracks or staining was observed to the north of the residential dwelling. Timber, metal equipment and a chair was observed stored on the slab (see Photograph 45).
- A septic tank was observed to the west of the residential dwelling and infiltrates in the area of garden beds to the east of the house (see Photograph 46).

- Large trees and stockpiles of trees/vegetation were observed to the west of the residential dwelling. Metal hand operated rotary hoes were observed stored in the area (see Photographs 47 and 48).
- The western portion of the lot was observed to have been cleared of vegetation and was vacant. Minor quantities of concrete, PVC drums and slag was observed stored in the western portion of the lot (see Photograph 49).

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 Medowie 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 no property within the Medowie suburb which has been notified to the NSW EPA as being contaminated.

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 Medowie NSW. The search revealed no property within the suburb of Medowie which had current and/or former EPLs.

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

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 3km to the east and greater than 4.5km to the south west of the site (respectively), have been identified as likely to have used large quantities of PFAS. The RAAF Base Williamtown PFAS Management Area (Broader Zone) is also located approximately 4.5km to the south 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 former site owner of 39A Brockelsby Road, Medowie, Mr Darren Gough. Mr Gough purchased 39A Brockelsby Road in 2007 and rented the lot since 2020 when it was sold to the current site owners. Information obtained from Mr Gough is summarised below:

- 39A Brockelsby Road has been used for residential purposes.

- Mr Gough and his family had horses that were previously agisted at 39 Brocklesby Road.
- 39 Brocklesby Road, prior to agisting horses, was previously used for cropping, mainly strawberries.
- The stockpiles along the western boundary of 39 Brocklesby Road, were sourced from the onsite dam.
- The septic tank from 39 Brocklesby previously infiltrated into the street, however this was fixed a couple of years ago.
- Fruit trees/orchards were grown at 40 Brocklesby Road, however were often destroyed by fruit bats. The previous site owner of 40 Brocklesby Road, used 'gas cannons' to stop the bats.

3.6 Section 10.7 Certificate

A Section 10.7 Certificates for 39A and 41 Brocklesby Road, Medowie was obtained from Port Stephens Council, and is presented in Appendix G.

Item	Lot 300 DP625002 (39A Brocklesby Road)	Lot 2 DP508780 (41 Brocklesby Road)
Land Zoning	<i>RU2 Rural Landscape</i>	
Acid Sulfate Soils	<p>No information on acid sulfate soils provided.</p> <p>Qualtest notes that the Port Stephens Local Environmental Plan (LEP) 2013 maps the site as Class 5 ASS which requires development consent and an ASS Management Plan (ASSMP) for "Works within 50 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 meters Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. "</p>	
Loose-Fill Asbestos Insulation	<p>"No, the land does not include any residential dwelling identified on the Loose-Fill Asbestos Insulation Register as containing loose-fill asbestos ceiling insulation".</p>	
Contaminated Land Management Act 1997	<p>"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:</p> <p>(a) Whether or not the land to which the certificate relates is significantly contaminated land within the meaning of that Act.</p> <p>(b) Whether or not the land to which the certificate relates is subject to a management order within the meaning of that Act.</p> <p>(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.</p> <p>(d) Whether or not the land to which this certificate relates is subject to an ongoing maintenance order within the meaning of that Act.</p> <p>(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."</p> <p>"There are no prescribed matters under section 59(2) of the Contaminated Land Management Act 1997 to be disclosed".</p>	

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 mainly owned by private individuals (surveyor, farmer, painter, business proprietor) from 1911 to 2020 when the current lot owners Brocklesby Road Pty Limited, purchased the site. The Closer Settlement Limited, also owned the site between 1934 and 1947. The Closer Settlement Limited was understood to be a government organisation responsible for the administration of closer settlement and subsequently soldier settlement. The organisation was authorised to purchase and allocate land to applicants as farm allotments, agricultural labourers' allotments and workmen's home allotments under conditional purchase leases which required lessees to fence the land, to destroy vermin and noxious weeds and to make other improvements. The leases were granted subject to residence requirements and lessees of agricultural labourers' and workmen's home allotments were required to erect a dwelling within one year.
- Anecdotal evidence indicates that 39 Brocklesby Road was previously used for cropping, mainly strawberries. Following cropping the lot was used for agistment of horses. The septic tank of 39 Brocklesby Road, previously infiltrated offsite towards Brocklesby Road. Lot 39A Brocklesby Road, has been used for residential purposes. 41 Brocklesby Road was used as an orchard for growing fruit trees. The previous site owner of 40 Brocklesby Road, also used 'gas cannons' to stop the bats destroying the orchards.
- The majority of the site was used for large scale cropping/orchards from at least the 1950's to the 1990's. From the 1990's the site has been used as rural residential properties, including agistment of horses and some small areas of gardens/fruit trees.
- Some general materials/equipment was observed stored in and around onsite sheds and dwellings on the site. The materials/equipment included; motorised and hand operated rotary hoes, 205L metal and plastic drums (empty), timber, metal, plastic, bricks, tyres, trailers, sheets of corrugated potential ACM, bath tubs, tyres and small quantities of paints, fuels, degreasers etc.
- Imported fill material and stockpiles of tiles, concrete slag were also observed.
- Buildings constructed of potential ACM were observed on the site, including the eaves of the residential dwelling at 39A Brocklesby Road and/or cladding of residential dwelling at 41 Brocklesby 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 but assume to be from site as there is no evidence in the site history of widespread importation of fill.

- 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. Based on the age of the structures and site observations, portions of the current buildings were likely constructed with asbestos containing materials (ACM).
- The exact farming practices for the crops/orchards are not known, i.e., mixing storage and use of pesticides/herbicides, 'gas cannons'.
- 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 and groundwater – Grahamstown dam, located 4.5km to the south west 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 and groundwater discharge to Moffats swamp, located 1.5km to the east 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. Likely incomplete exposure pathway for soil contaminants to leach to groundwater due to depth of groundwater (>3m bgs and likely clayey subsoils). 	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 and groundwater discharge to Moffats swamp, located 1.5km to the east of the site. 		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 equipment 205L metal and plastic drums (empty), timber, metal, plastic, bricks, tyres, trailers, sheets of corrugated potential ACM, bath tubs 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 				
4. Septic tanks located on the site	Microbiological, heavy metals,	Low to medium	<ul style="list-style-type: none"> Subsurface leaks from tank 	<ul style="list-style-type: none"> Soil 	<ul style="list-style-type: none"> Current site visitors 		<ul style="list-style-type: none"> Potentially complete exposure pathway for 	Exposure pathway would be

AEC	COPC	Likelihood of Contamination	Mechanism of Contamination	Potentially Affected Media	Human & Ecological Receptors	Potential mechanisms of exposure	Potential & Complete Exposure Pathways	Comments
<ul style="list-style-type: none"> Septic tank soak aways and adsorption trenches, potential leaks of effluent 	TRH, BTEX and PAH		<ul style="list-style-type: none"> Subsurface & surface leaks from pipes and/or trenches 	<ul style="list-style-type: none"> Surface water Sediment Groundwater 	<ul style="list-style-type: none"> Future construction workers & site users Soil biota/plants and transitory wildlife 	<ul style="list-style-type: none"> Direct dermal contact with contaminated soil and/or surface water Ingestion of contaminated soil and/or surface water 	<ul style="list-style-type: none"> current site visitors, future construction workers and site users. Potentially complete exposure pathway for ecological receptors. 	incomplete if soils and surface water are found to not be contaminated via sampling & analysis.
5. Former Cropping/Orchards <ul style="list-style-type: none"> Potential for pesticide herbicide and other farming related contamination 	TRH, BTEX, PAH, OCPs, OPPs, herbicides, metals	Low	<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"> Soils Groundwater Surface water Sediments 	<ul style="list-style-type: none"> Surface and ground water depended ecosystems Offsite surface water and groundwater – Grahamstown dam, located 4.5km to the south west of the site. 	<ul style="list-style-type: none"> Leaching of soil contaminants to surface water and/or groundwater Surface water and groundwater discharge to Moffats Swamp, located 1.5km to the east of the site. 	<ul style="list-style-type: none"> Potentially complete exposure pathway for soil contaminants to leach to surface water. Likely incomplete exposure pathway for soil contaminants to leach to groundwater due to depth of groundwater (>3m bgs and likely clayey subsoils). 	

5.0 Conclusions and Recommendations

The site history indicates that the majority of the site has been used for large scale cropping/orchards from at least the 1950's to the 1990's. From the 1990's the site has been used as rural residential properties, including agistment of horses and some small areas of gardens/fruit trees.

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 39A Brocklesby Road and/or cladding of residential dwelling at 41 Brocklesby 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 equipment 205L metal and plastic drums (empty), timber, metal, plastic, bricks, tyres, trailers, sheets of corrugated potential ACM, bath tubs and small quantities of paints, fuels, degreasers.
4. Septic tanks located on the site - Septic tank soak aways and adsorption trenches, potential leaks of effluent.
5. Former Cropping/Orchards - Potential for pesticide herbicide and other farming related contamination.

The Preliminary Conceptual Site Model (CSM) indicated that there was a potential for soil and surface water 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.

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 McCloy Project Management Pty Ltd 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



Image obtained from Google Earth

Client:	McCloy Group Pty Ltd	Drawing No:	FIGURE 1
Project:	Preliminary Contamination Assessment	Project No:	NEW23P-0009-AA
Location:	39, 39A and 41 Brocklesby Road, Medowie NSW	Scale:	N.T.S.
Title:	Site Location Plan	Date:	20/01/2023



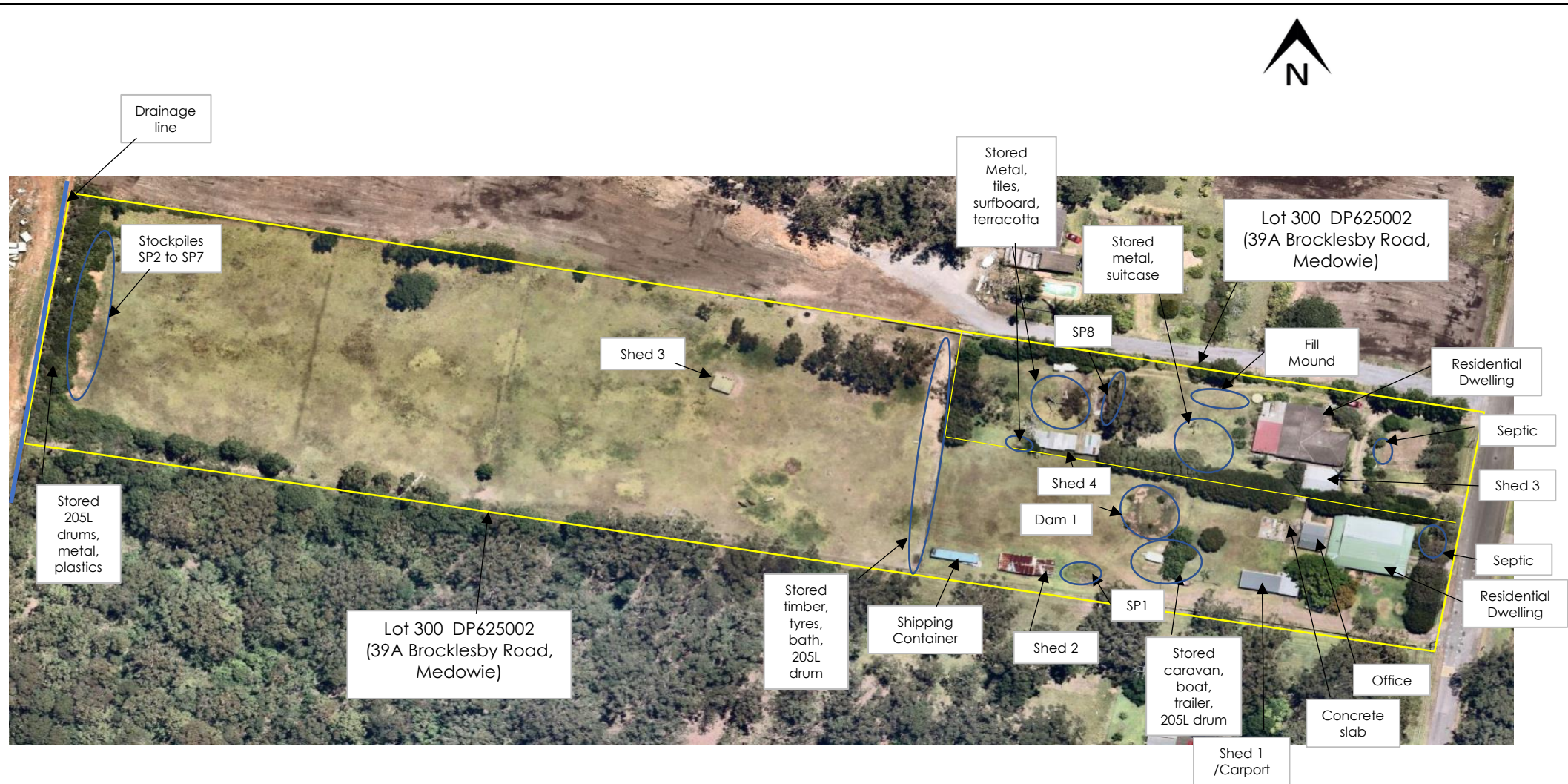
LEGEND:



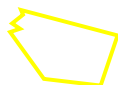
Approximate Site/Lot Boundary

Image sourced from SIX maps

Client:	McCloy Group Pty Ltd	Drawing No:	FIGURE 2
Project:	Preliminary Contamination Assessment	Project No:	NEW23P-0009-AA
Location:	39, 39A and 41 Brocklesby Road, Medowie	Scale:	N.T.S.
Title:	Lot Location Plan	Date:	20/01/2023



LEGEND:



Approximate Lot Boundary

Client:	McCloy Group Pty Ltd	Drawing No:	FIGURE 3A
Project:	Preliminary Contamination Assessment	Project No:	NEW22P-0009-AA
Location:	39 and 39A Brocklesby Road, Medowie	Scale:	N.T.S.
Title:	Site Features Plan	Date:	20/01/2023



Lot 2 DP508780
(41 Brocklesby Road,

Drainage
line

Concrete Slab

Septic Tank

Septic
Infiltration Area
and Garden

Mulch
Stockpiles

Fruit
Trees/Orchard

Swale
Drain

Shed 6

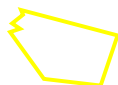
Fenced Garden
Area

Shed 7

Residential
Dwelling

SP9 - slag
concrete
tiles

LEGEND:



Approximate Lot Boundary



Image sourced from NearMaps

Client:	McCloy Group Pty Ltd	Drawing No:	FIGURE 3B
Project:	Preliminary Contamination Assessment	Project No:	NEW22P-0009-AA
Location:	39, 39A and 41 Brocklesby Road, Medowie	Scale:	N.T.S.
Title:	Site Features Plan - 41 Brocklesby Road, Medowie	Date:	20/01/2023



LEGEND:



Approximate Site/Lot Boundary

Image sourced from NearMaps

Client:	McCloy Group Pty Ltd	Drawing No:	FIGURE 3C
Project:	Preliminary Contamination Assessment	Project No:	NEW22P-0009-AA
Location:	39, 39A and 41 Brocklesby Road, Medowie	Scale:	N.T.S.
Title:	Former Site Features Plan	Date:	20/01/2023

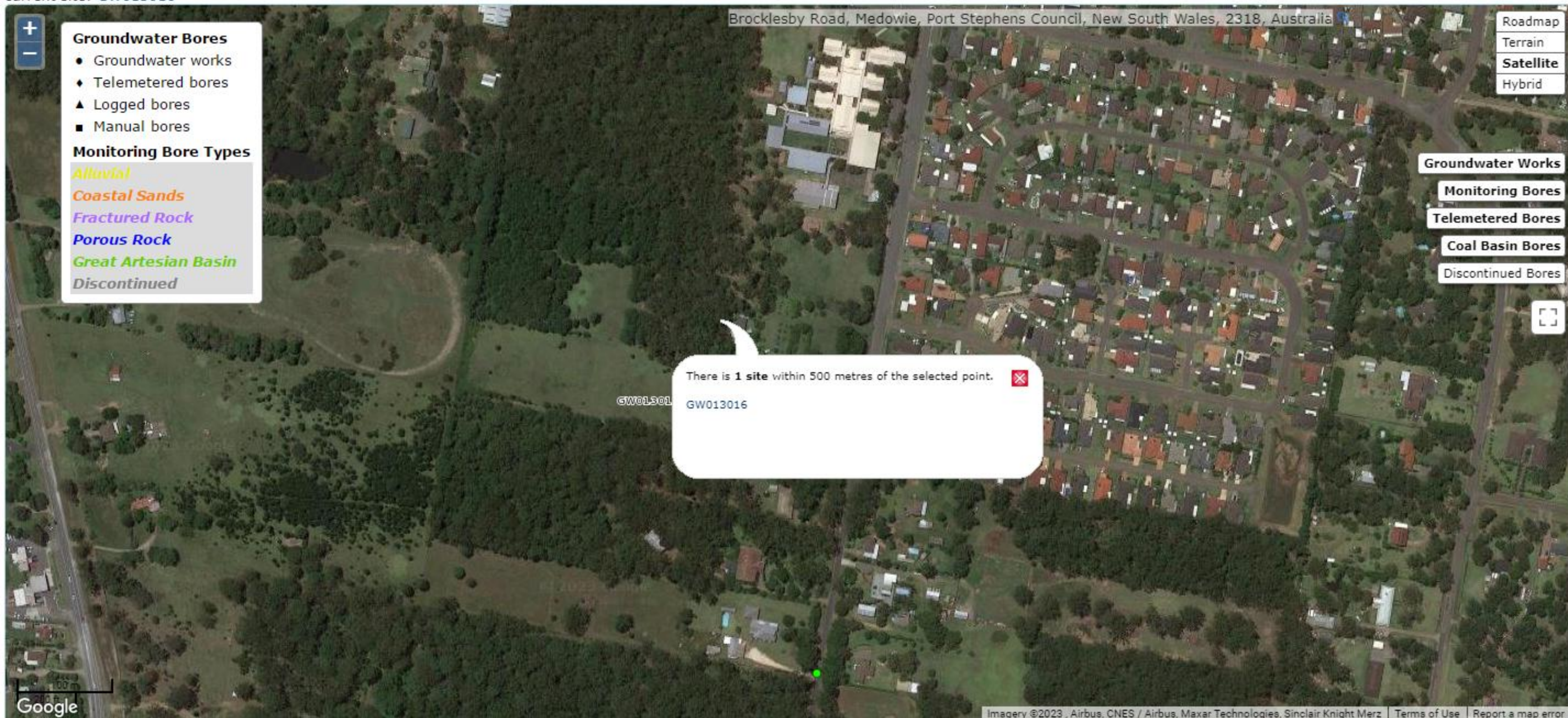
APPENDIX B:

Groundwater Bore Search

All data times are Eastern Standard Time

Map Info

current site: GW013016



WaterNSW

Work Summary

GW013016

Licence:

Licence Status:

Authorised Purpose(s):
Intended Purpose(s): GENERAL USE

Work Type: Bore

Work Status:

Construct.Method: Cable Tool

Owner Type: Private

Commenced Date:
Completion Date: 01/01/1956

Final Depth: 47.90 m
Drilled Depth: 47.90 m

Contractor Name: (None)

Driller:

Assistant Driller:

Property:

GWMA:
GW Zone:

Standing Water Level
(m):
Salinity Description:
Yield (L/s):

Site Details

Site Chosen By:

County
Form A: GLOUCESTER
Licensed:

Parish
STOWELL

Cadastre
146

Region: 20 - Hunter

CMA Map: 9232-1S

River Basin: 210 - HUNTER RIVER
Area/District:

Grid Zone:

Scale:

Elevation: 0.00 m (A.H.D.)
Elevation Source: (Unknown)

Northing: 6376290.000
Easting: 394607.000

Latitude: 32°44'46.3"S
Longitude: 151°52'30.1"E

GS Map: -

MGA Zone: 56

Coordinate Source: GD.,ACC.MAP

Construction

Negative depths indicate Above Ground Level; C-Cemented; SL-Slot Length; A-Aperture; GS-Grain Size; Q-Quantity; PL-Placement of Gravel Pack; PC-Pressure Cemented; S-Sump; CE-Centralisers

Hole	Pipe	Component	Type	From (m)	To (m)	Outside Diameter (mm)	Inside Diameter (mm)	Interval	Details
1	1	Casing	Threaded Steel	0.00	47.90	152			

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	5.18	5.18	Clay Red	Clay	
5.18	17.07	11.89	Clay Yellow	Clay	
17.07	28.35	11.28	Clay Pinkish	Clay	
28.35	42.67	14.32	Clay Yellow Sandy	Clay	
42.67	47.55	4.88	Soapstone	Rock	
47.55	47.85	0.30	Sand	Sand	

***** End of GW013016 *****

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

13th January, 2023

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

Attention Libby Betz,

RE: 39, 39A & 41 Brocklesby Road,
Medowie
Purchase Order NEW23P- 009

Note 1:	Lot 2	DP 508780	(page 1)
Note 2:	Lot 300	DP 625002	(page 4)
Note 3:	Lot 301	DP 625002	(page 6)

Note 1:

Current Search

Folio Identifier 2/508780 (title attached)

DP 508780 (plan attached)

Dated 12th January, 2023

Registered Proprietor:

BROCKLESBY ROAD PTY LIMITED (ACN 644 527 257)

Title Tree
Lot 2 DP 508780

Folio Identifier 2/508780

Certificate of Title Volume 9685 Folio 238

Certificate of Title Volume 5715 Folio 45

Certificate of Title Volume 4631 Folio 177

PA18105

Conveyance Book 925 No 465

Index

T – Transfer
C – Conveyance

**Summary of proprietor(s)
Lot 2 DP 508780**

Year	Proprietor(s)	
	(Lot 2 DP 508780)	
05 Jul 2006 todate	Brocklesby Road Pty Limited (ACN 644 527 257)	T
10 Oct 1988	Peter Colin Webster, business proprietor Christine Mary Webster, business Proprietor	
	(Lot 2 DP 508780 – CTVol 9685 Fol 238)	
24 Jan 1975	Peter Colin Webster, business proprietor Christine Mary Webster, business Proprietor	T
25 Sep 1967	William Charles Gilbert Voysey, painter Bonny Patricia Voysey, his wife	T
21 Apr 1964	Bert Pegg, farmer	
	(Lot 225 DP 17437 – Area 18 Acres – CTVol 5715 Fol 45)	
29 Aug 1947	Bert Pegg, farmer	T
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – CTVol 4631 Fol 177)	
20 Jun 1934	The Closer Settlement Limited	T
19 Jun 1934	Henry Ferdinand Halloran, registered surveyor	
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – Conv Bk 925 No 465)	
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor	C

Note 2:

Current Search

Folio Identifier 300/625002 (title attached)

DP 625002 (plan attached)

Dated 12th January, 2023

Registered Proprietor:

BROCKLESBY ROAD PTY LIMITED (ACN 644 527 257)

Title Tree

Lot 300 DP 625002

Folio Identifier 300/625002

Certificate of Title Volume 14843 Folio 16

Certificate of Title Volume 9685 Folio 239

Certificate of Title Volume 5715 Folio 45

Certificate of Title Volume 4631 Folio 177

PA18105

Conveyance Book 925 No 465

Index

T – Transfer

ND – Notice of Death

C – Conveyance

Summary of proprietor(s) Lot 300 DP 625002

Year	Proprietor(s)	
	(Lot 300 DP 625002)	
13 Nov 2020 todate	Brocklesby Road Pty Limited (ACN 644 527 257)	T
02 Oct 2007	Darren Gregory Gough Yvonne Karen Gough	T
07 Jan 2004	Frances Lorraine Shaw, widow	ND
10 Dec 1996	Norman Graham Shaw Frances Lorraine Shaw	T
07 Jan 1992	James Norman Eaglen Sharon Lynette Eaglen	T
12 Jul 1990	Douglas Holman Lillian Joyce Holman, his wife	T
10 Oct 1988	Robert James Johnson Katherine Johnson	
	(Lot 300 DP 625002 – CTVol 14843 Fol 16)	
17 Aug 1982	Robert James Johnson Katherine Johnson	T
	(Lot 3 DP 508780 – CTVol 9685 Fol 239)	
21 Apr 1964	Bert Pegg, farmer	
	(Lot 225 DP 17437 – Area 18 Acres – CTVol 5715 Fol 45)	
29 Aug 1947	Bert Pegg, farmer	T
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – CTVol 4631 Fol 177)	
20 Jun 1934	The Closer Settlement Limited	T
19 Jun 1934	Henry Ferdinand Halloran, registered surveyor	
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – Conv Bk 925 No 465)	
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor	C

Note 3:

Current Search

Folio Identifier 301/625002 (title attached)
DP 625002 (plan attached)
Dated 12th January, 2023
Registered Proprietor:
DEBBIE MAREE GRAHAM

Title Tree
Lot 301 DP 625002

Folio Identifier 301/625002

Certificate of Title Volume 14843 Folio 17

Certificate of Title Volume 9685 Folio 239

Certificate of Title Volume 5715 Folio 45

Certificate of Title Volume 4631 Folio 177

PA18105

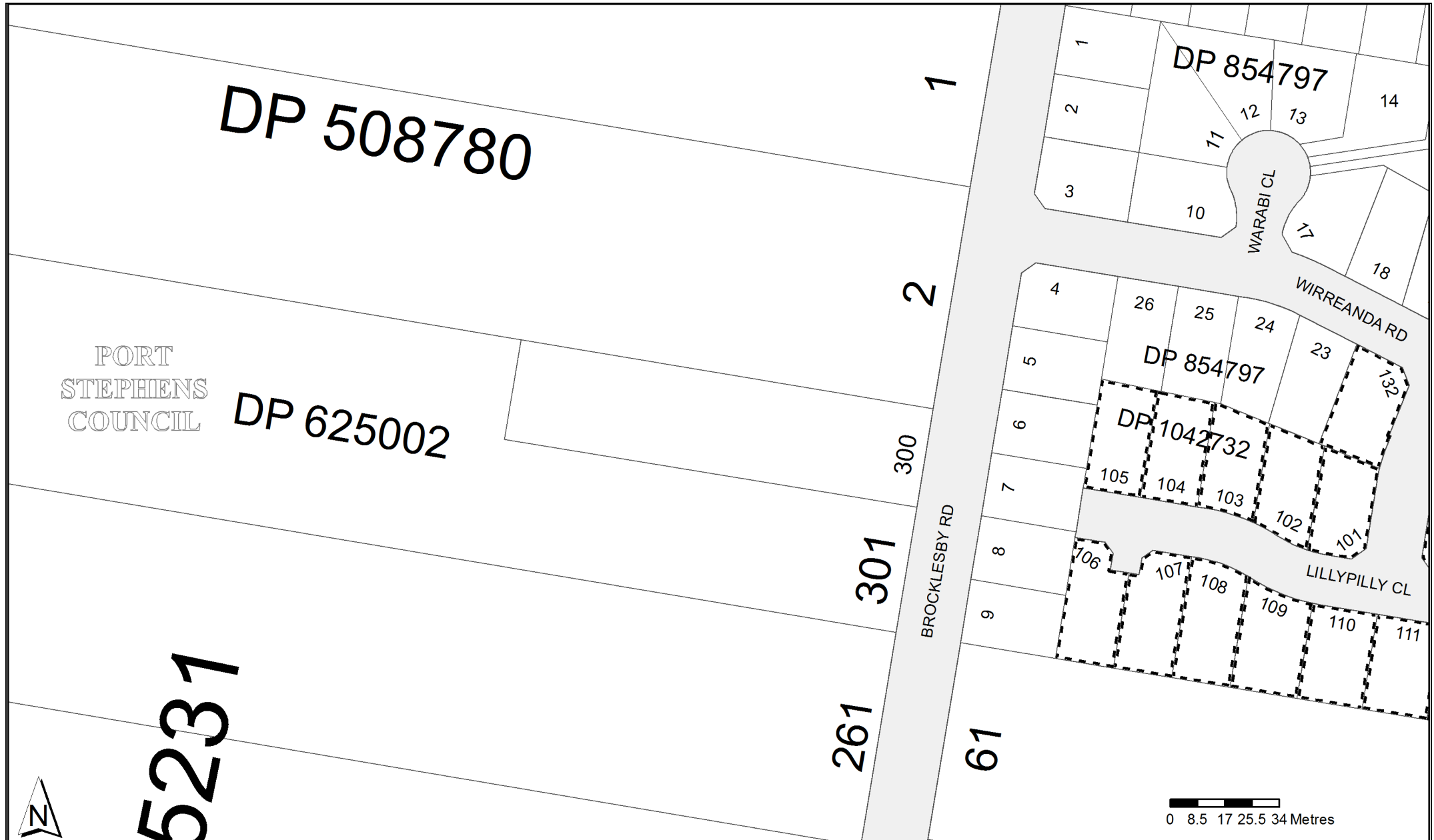
Conveyance Book 925 No 465


Index

T – Transfer
C – Conveyance

**Summary of proprietor(s)
Lot 301 DP 625002**

Year	Proprietor(s)	
	(Lot 301 DP 625002)	
05 Jul 2006 todate	Debbie Maree Graham	T
10 Oct 1988	Anthony Graham Debbie Maree Graham	
	(Lot 301 DP 625002 – CTVol 14843 Fol 17)	
16 Feb 1987	Anthony Graham Debbie Maree Graham	T
17 Aug 1982	Bert Pegg, farmer	
	(Lot 3 DP 508780 – CTVol 9685 Fol 239)	
21 Apr 1964	Bert Pegg, farmer	
	(Lot 225 DP 17437 – Area 18 Acres – CTVol 5715 Fol 45)	
29 Aug 1947	Bert Pegg, farmer	T
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – CTVol 4631 Fol 177)	
20 Jun 1934	The Closer Settlement Limited	T
19 Jun 1934	Henry Ferdinand Halloran, registered surveyor	
	(Portion 146 Parish Stowell and other lands – Area 1318 Acres 0 Roods 14 Perches – Conv Bk 925 No 465)	
18 Jan 1911	Henry Ferdinand Halloran, registered surveyor	C



	Status	Surv/Comp	Purpose
DP1042732			
Lot(s): 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 131, 132			
 DP854797	HISTORICAL	SURVEY	SUBDIVISION

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
DP508780	SURVEY	SUBDIVISION
DP525231	SURVEY	SUBDIVISION
DP535209	SURVEY	SUBDIVISION
DP625002	SURVEY	SUBDIVISION
DP813700	SURVEY	SUBDIVISION
DP854797	SURVEY	SUBDIVISION
DP1042732	SURVEY	SUBDIVISION

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

PROPERTY ACT, 1900, as amended.



NEW SOUTH WALES :

Application No. 18105
Prior Title Vol. 5715 Fol. 45

Vol. 3085 Fol. 400

1st Edition issued 21-4-1964

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.

Witness

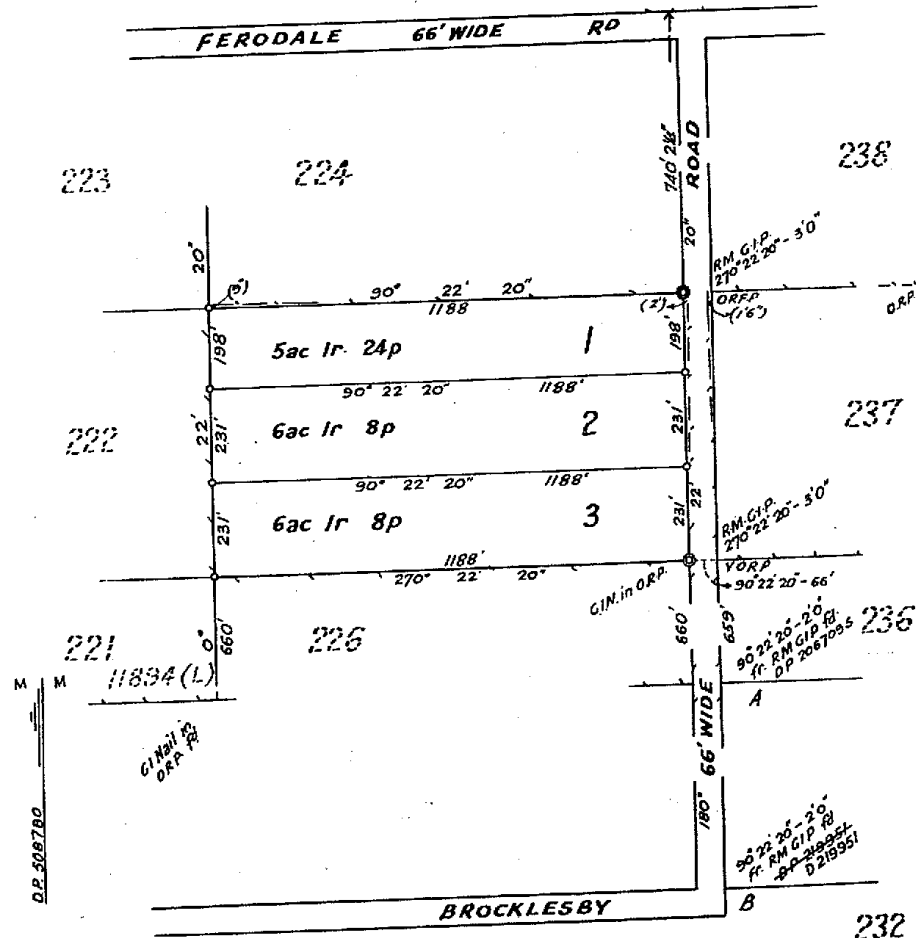
W. Hamilton

Registrar General.



PLAN SHOWING LOCATION OF LAND

SEE AUTO FOLIO



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 508780 at Medowie in the Shire of Port Stephens Parish of Stowall and County of Gloucester, being part of Portion 146 granted to Richard Windeyer on 30-6-1838.

FIRST SCHEDULE (continued overleaf)

BERT PEGG, of Medowie, Farmer.

Registrar General.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. F894700 to Australia and New Zealand Bank Limited. Entered 16-7-1953.

Registrar General.

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.

BY 1608 V. C. N. WRIGHT, GOVERNMENT PRINTER

FIRST SCHEDULE (continued)

REGISTERED PROPRIETOR	INSTRUMENT			ENTERED	Signature of Registrar General
	NATURE	NUMBER	DATE		
William Charles Gilbert Vegey of the <i>Landers, Paeters and Bonnie</i> <i>Paterson Vegey his wife as joint tenants</i>	<i>Transfer</i>	<i>K808153</i>	<i>25-9-1967</i>		<i>[Signature]</i>
Peter Colin Webster and Christine Mary Webster, both of Soldiers Point, Business Proprietors, as joint tenants.	Transfer	P136366	1-11-1974-24-1-1975.		<i>[Signature]</i>

Vol. 9683 Fol. 238

SECOND SCHEDULE (continued)

PARTICULARS	INSTRUMENT			ENTERED	Signature of Registrar General	CANCELLATION
	NATURE	NUMBER	DATE			
<i>Mortgage</i>	<i>K808154</i>	<i>4-7-1967</i>	<i>to Thomas Bernard Fenwick of Wallend, Butcher</i>	<i>25-9-1967</i>	<i>[Signature]</i>	<i>Discharged</i> <i>25-9-1967</i>
<i>Mortgage</i>	<i>L939135</i>	<i>4-7-1970</i>	<i>to Newmarket Co. of Building Pty. Ltd.</i>	<i>5-9-1970</i>	<i>[Signature]</i>	<i>Discharged</i> <i>P136366</i>
<i>Mortgage</i>	<i>P378537</i>	<i>21-8-1975</i>	<i>to The Commercial Bank of Australia Limited.</i>		<i>[Signature]</i>	
					CANCELLED	
					SEE ABOVE	

FORM No. 62

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



09685239

CERTIFICATE OF TITLE
PROPERTY ACT, 1900, as amended.



NEW SOUTH WALES

Application No. 18105
 Prior Title Vol. 5715 Fol. 45

Vol. **9685** Fol. **239**

1st Edition issued 21-4-1964

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.

Witness

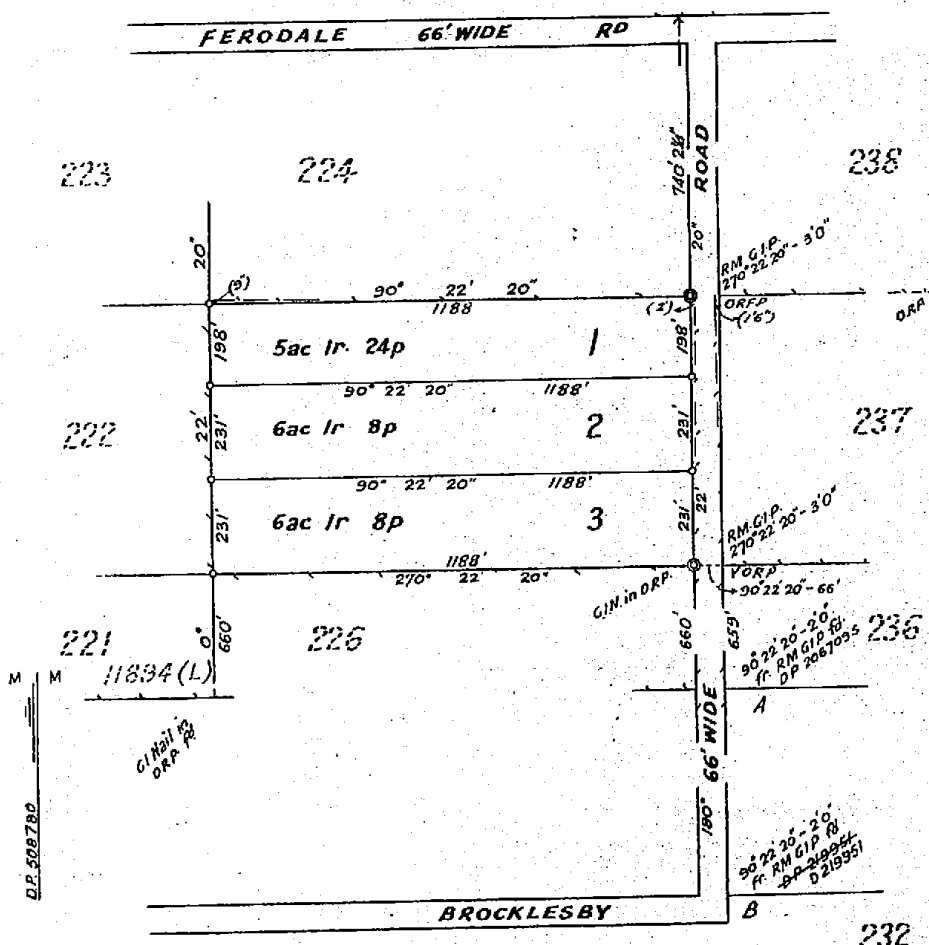
W. Hamilton

Janatson
 Registrar General.



PLAN SHOWING LOCATION OF LAND

CANCELLED



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot **3** in Deposited Plan 508780 at Meadowie in the Shire of Port Stephens Parish of Stowell and County of Gloucester, being part of Portion 146 granted to Richard Windeyer on 30-6-1838.

FIRST SCHEDULE (continued overleaf)

~~BERT PEGG, of Meadowie, Farmer.~~

Janatson
 Registrar General.

SECOND SCHEDULE (continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Mortgage No. ~~1839/1839~~ to Australia and New Zealand Bank Limited. Entered ~~16-7-1953~~. Discharged T64383

Janatson
 Registrar General.


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

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

CIT 11/5/88
DP62502
Reg'd 24-5-88
143402
-031
Lot 300 DP 62

FIRST SCHEDULE (continued)			
REGISTERED PROPRIETOR		INSTRUMENT	
NATURE	NUMBER	DATE	SIGNATURE OF REGISTRAR GENERAL
Robert James Johnson and Kathrine Johnson as joint tenants as regards lot 3499- 300 in DP625002 and T143402. Registered 23-7-1982.	Bert Pegg as regards the residue by Transfer		

SECOND SCHEDULE (continued)			
PARTICULARS		ENTERED	CANCELLATION
NATURE	NUMBER	DATE	SIGNATURE OF REGISTRAR GENERAL
T143403 Mortgage to Newcastle Permanent Building Society Limited as regards the part of the land within described being lot 300 in DP625002. Registered 23-7-1982.			
This deed is cancelled as to whole New certificates of Title have issued on 16-8-1982 for lots in DP625002 Plan No. 625002 as follows: Lots 300 to 351 Vol. 1A 843 Fol. 15-8-17 respectively.			
 REGISTRAR GENERAL			

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

Appln. No. 18105

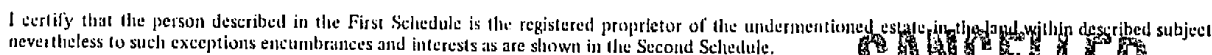
Prior Title Vol.9685 Fol.239

REAL PROPERTY ACT, 1900



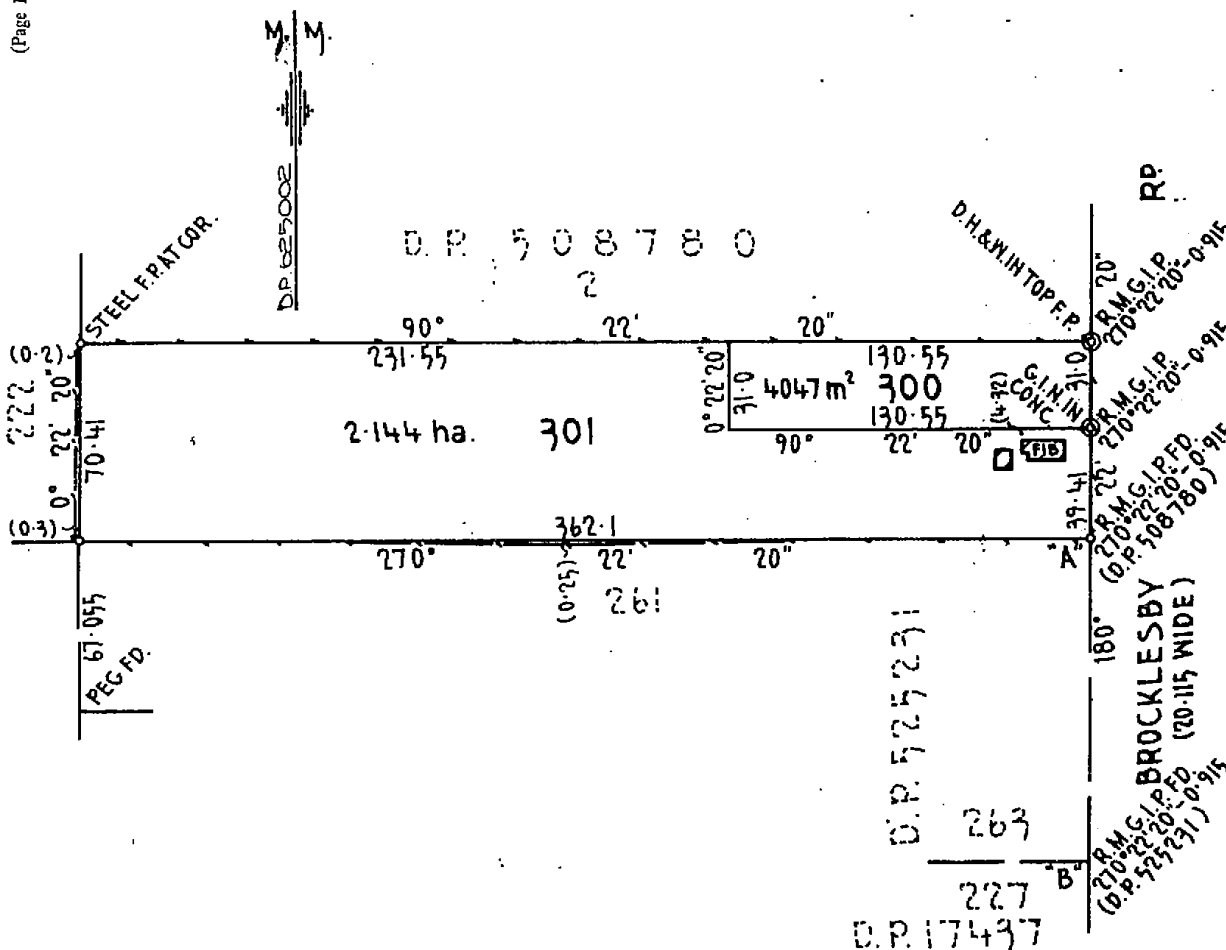
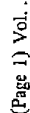
Vol. Fol.

17 8 1982



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



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

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 300 in Deposited Plan 625002 at Medowie in the Shire of Port Stephens Parish of Stowell and County of Gloucester being part of Portion 146 granted to Richard Windeyer on 30-6-1838.

FIRST SCHEDULE

ROBERT JAMES JOHNSON and KATHRINE JOHNSON as Joint Tenants.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. T143403 *p* Mortgage to Newcastle Permanent Building Society Limited.

X110861MR

NOTATIONS AND UNREGISTERED DEALINGS

X110861/Mortgage to Australian Guarantee Corporation Limited. Registered 6-10-1987



PARTICULARS
SECOND SCHEDULE (continued)
Registrar General CANCELLATION

CANCELLED
SEE AUTO FOLIO

FIRST SCHEDULE (continued)
REGISTERED PROPRIETOR
Registrar General



CIFICATE OF TITLE

REAL PROPERTY ACT, 1900



14843017

NEW SOUTH WALES

Appln. No.18105

Prior Title Vol.9685 Fol.239

Vol. 14843 Fol. 17

EDITION ISSUED

17 8 1982



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

CANCELLED

Signature

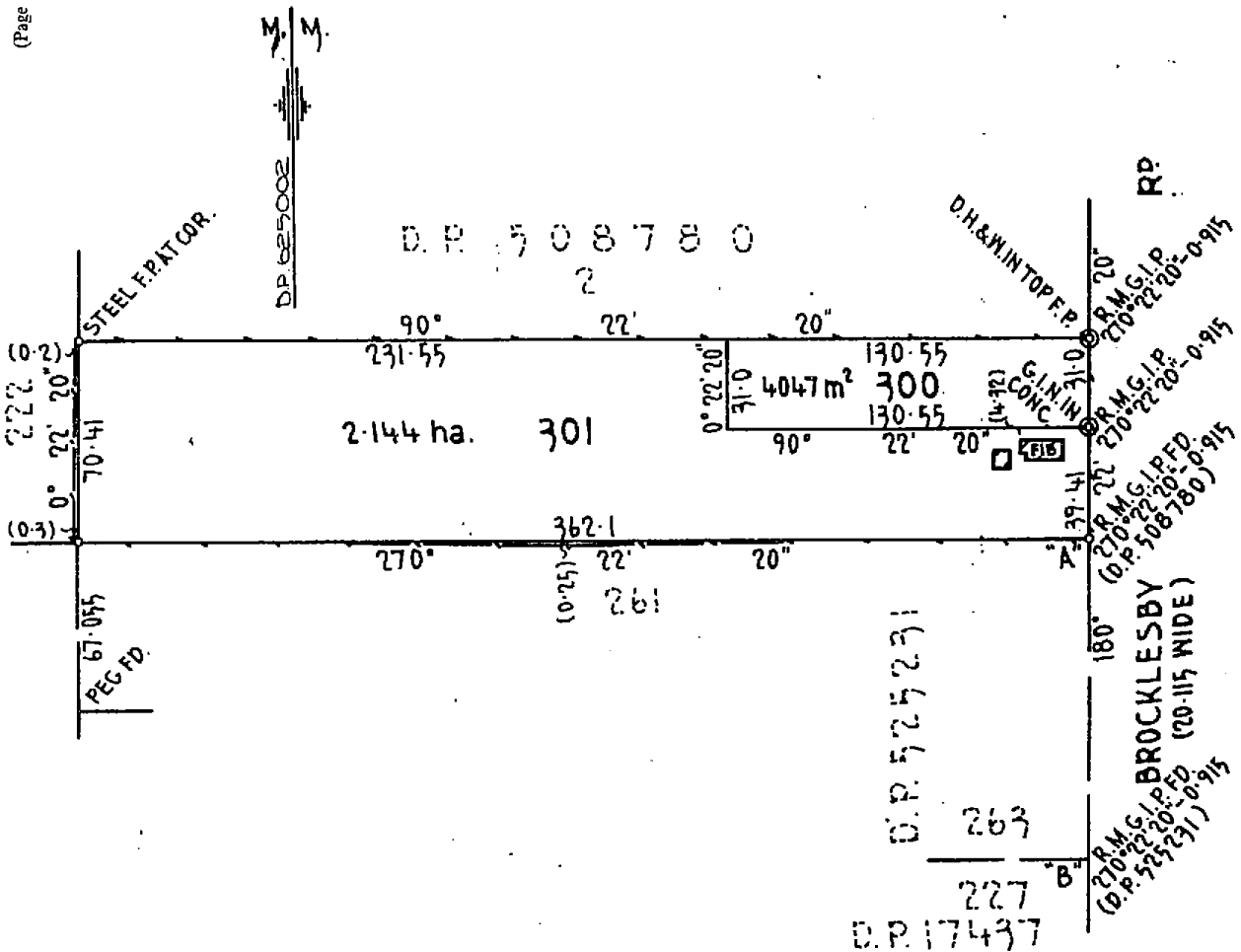


SEE AUTO FOLIO



PLAN SHOWING LOCATION OF LAND

LENGTHS ARE IN METRES



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 301 in Deposited Plan 625002 at Medowie in the Shire of Port Stephens Parish of Stowell and County of Gloucester being part of Portion 146 granted to Richard Windeyer on 30-6-1838.

FIRST SCHEDULE



SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.

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

(Page 1) Vol.

14843 17

Fol.

W741620T
21M/R

NOTATIONS AND UNREGISTERED DEALINGS

W741620T Mortgage to Communication Credit Union Limited. Registered 16.2.1987.

Registrar General CANCELLATION

SECOND SCHEDULE (continued)

CANCELLED
SEE AUTO FOLIO

Anthony Graham and Debbie Maree Graham as joint tenants by Transfer W741620. Registered 16.2.1987.

Registrar General

FIRST SCHEDULE (continued)
REGISTERED PROPRIETOR

Form number: 97.01T
Licence number: 10V/0096/95
Printed: 0596LTO

TRANSFER

New South Wales
Real Property Act 1900



2678956 V

Page 1 of

Office of State Revenue use only

00.2\$ 20/204229008 40 5022 962120
N.S.W. STAMP DUTY

(A) **LAND TRANSFERRED**

Show no more than 20 references to title.
If appropriate, specify the share transferred.

FOLIO IDENTIFIER 300/625002

(B) **LODGED BY**

L.T.O. Box

Name, Address or DX and Telephone

JENNERS
Title Searching Co.

REFERENCE (max. 15 characters):
Dx 770

(C) **TRANSFEROR**

JAMES NORMAN EAGLEN and SHARON LYNETTE EAGLEN

(D) acknowledges receipt of the consideration of One Hundred & Seventy Six Thousand Dollars (\$176,000.00)

and as regards the land specified above transfers to the Transferee an estate in fee simple

(E) subject to the following **ENCUMBRANCES** 1. 2. 3.

(F) **TRANSFEE**

T
TS
(s713 LGA)
TW
(Sheriff)

NORMAN GRAHAM SHAW and FRANCES LORRAINE SHAW

(G)

TENANCY: JOINT TENANTS

(H) We certify this dealing correct for the purposes of the Real Property Act 1900. DATE 29-11-96

Signed in my presence by the Transferor who is personally known to me.

Signature of Witness

CHRISTOPHER JAMES LANE

Name of Witness (BLOCK LETTERS)

2/19 FURNEAUX ST. MANUKA

Address of Witness

Signature of Transferor

Signed in my presence by the Transferee who is personally known to me.

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address of Witness

Signature of Transferee's Solicitor
LEA KAREN SMITH

NB: if applicable, indicate that the signatory is the transferee's solicitor and show the solicitor's full name in block letters.

Form: 01T
Release: 3.3
www.lands.nsw.gov.au

TRANSFER

New South Wales
Real Property Act 1900



AD456269F

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the use of this form for the establishment and maintenance of the Real Property Register. The Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only

Office of State Revenue
NSW Treasury
Client No: 103849856
Duty: EXEMPT Trans No: 2424
Asst details: FHP Private

(A) FOLIO OF THE REGISTER

300/625002

(B) LODGED BY

Document
Collection
Box

Name, Address or DX, Telephone, and LLPN if any

LLPN 123175Y

First Title Secure
PO Box Q1115
QVB Post Shop NSW 1230
Ph: 02 8267 8130

CODES

T
TW
(Sheriff)

Reference:

GOUGH LT 00244

(C) TRANSFEROR

Frances Lorraine Shaw

(D) CONSIDERATION The transferor acknowledges receipt of the consideration of \$ 420,000.00 and as regards

(E) ESTATE the above folio of the Register transfers to the transferee an estate in fee simple

(F) SHARE
TRANSFERRED

(G) Encumbrances (if applicable):

(H) TRANSFEREE

Darren Gregory Gough and Yvonne Karen Gough

(I) TENANCY: Joint Tenants

DATE 27/09/07

(J) I certify that the person(s) signing opposite, with whom I am personally acquainted or as to whose identity I am otherwise satisfied, signed this instrument in my presence.

Certified correct for the purposes of the Real Property Act 1900 by the transferor.

Signature of witness:

Name of witness:

Katherine Fressel

Address of witness:

17 Wellard Ct
Merrimac 2318

Signature of transferor:

Certified correct for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

Signatory's name:

Chrystal Esgate

Signatory's capacity:

transferee's licensed conveyancer

System Document Identification

Land Registry Document Identification

Form Number:01T-e
Template Number:t_nsw18
ELN Document ID:553261476
ELN NOS ID: 553261477

TRANSFER
New South Wales
Real Property Act 1900

AQ554842

Stamp Duty: 9928461-001

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

LODGED BY:

Responsible Subscriber: INFOTRACK PROPERTY SERVICES PTY LIMITED ABN 59619493355
Address: North Tower
L 14, 135 King ST
Sydney 2000
Telephone:
ELNO Subscriber Number: 23726
Customer Account Number: 503190
Document Collection Box: 1W
Client Reference: 50678759 GOUGH

LAND TITLE REFERENCE

300/625002

TRANSFEROR

DARREN GREGORY GOUGH
YVONNE KAREN GOUGH

TRANSFeree

BROCKLESBY ROAD PTY LTD ACN 644527257
Registered company
Tenancy: Sole Proprietor

CONSIDERATION

The transferor acknowledges receipt of the consideration of \$730,000.00

ESTATE TRANSFERRED

FEE SIMPLE

The Transferor transfers to the Transferee the Estate specified in this Instrument and acknowledges receipt of any Consideration shown.

SIGNING FOR TRANSFEROR

I certify that:

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the transferor.

Party Represented by Subscriber:

DARREN GREGORY GOUGH
YVONNE KAREN GOUGH

Signed By: Kevin Anthony
ELNO Signer Number: 39603

Signer Capacity:Practitioner Certifier
Digital Signing Certificate Number:

Signed for
Subscriber: KEVIN ANTHONY ABN 20427185485
KEVIN ANTHONY, SOLICITOR

Subscriber Capacity:Representative Subscriber

ELNO Subscriber Number: 16720

Customer Account Number:501850

Date: 13/11/2020

SIGNING FOR TRANSFeree

I certify that:

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to verify the identity of the transferee.

Party Represented by Subscriber:

BROCKLESBY ROAD PTY LTD

Signed By: David Johansson

Signer Capacity:Practitioner Certifier

ELNO Signer Number: 62833

Digital Signing Certificate Number:

**Signed for
Subscriber:**

INFOTRACK PROPERTY SERVICES PTY LIMITED ABN 59619493355

INFOTRACK PROPERTY SERVICES PTY LIMITED

Subscriber Capacity:Representative Subscriber

ELNO Subscriber Number: 23726

Customer Account Number:503123

Date: 13/11/2020

RP 13

STAMP DUTY



7
109533

TRANSFER
REAL PROPERTY ACT, 1900

T 8 3 of 3 X R 3/3
\$ 44

DESCRIPTION
OF LAND
Note (a)

Certificate of Title
Volume 14843 Folio 16

WHOLE

at Medowie

NOW BEING WHOLE OF LAND COMPRISED
IN THE 300/625002

TRANSFEROR
Note (b)

ROBERT JAMES JOHNSON & KATHRINE JOHNSON

ESTATE
Note (c)

(The abovenamed TRANSFEROR) hereby acknowledges receipt of the consideration of \$ 163,000.00
and transfers an estate in fee simple
in the land above described to the TRANSFEE

TRANSFEE
Note (d)

DOUGLAS HOLMAN of 13 Cedrella Crescent, Warabrook,
and LILLIAN JOYCE HOLMAN of the same place his wife

OFFICE USE ONLY

JT2

TENANCY
Note (e)

as joint tenants

PRIOR
ENCUMBRANCES
Note (f)

subject to the following PRIOR ENCUMBRANCES 1. NIL
2.
3.

DATE 29-6-90

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

EXECUTION
Note (g)

Signed in my presence by the transferor who is personally known to me

P.A. Power
Signature of Witness

P. A. POWER
Name of Witness (BLOCK LETTERS)

8 CLAYTON CR. KOTARA 2288
Address and occupation of Witness

CLERK
Signed in my presence by the transferee who is personally known to me

Signed in my presence by the transferee who is personally known to me

Note (g)

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

James Alan Helman
Solicitor for the Transferors

JAMES ALAN HELMAN

TO BE COMPLETED
BY LODGING PARTY
Notes (h)
and (i)

LODGED BY

GALLOWAY & CO.

Phone: 233-1011 Fax: 232-6491
DX 340, L.T.O. Delivery 28A

Delivery Box Number

LOCATION OF DOCUMENTS

CT OTHER

1		Herewith.
		In L.T.O. with
		Produced by

OFFICE USE ONLY

Checked EBS KM	Passed	REGISTERED -19	Secondary Directions		
Signed	Extra Fee		Delivery Directions	CT	28A

Form 1

OFFICE USE ONLY

PLAN OF

Subdivision of lot 225 DP 17437

DP 508780

Attn./Shir./Offy. PORT STEPHENS

Town or Locality. MERRIM

Parish. STOWELL

County. GLOUCESTER

Left Plan. DP 17437

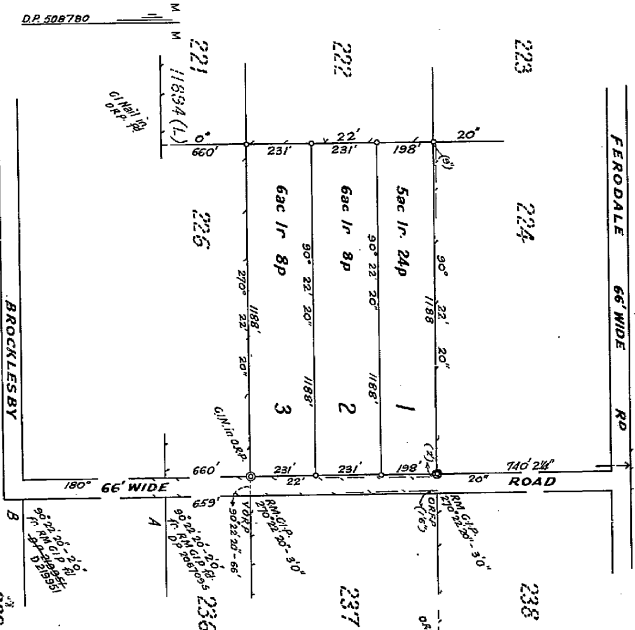
Registered. 535 of 31-12-63

Title System. Torrens

Purpose. Subdivision

Ref. Map. Parish

Scale. 390' = 1"



Signature, Seal and Statements of Declaration and Consent.

Australia and New Zealand Bank is listed as mortgagee under registered mortgage No. 17437 DP 17437 to the within Plan of Subdivision.

of MERRIM, GLOUCESTER, STEWELL.

1. I, the Registrar-General, certify that the plan is a true and correct copy of the original plan as submitted to me.

087802514

087802514

SWITCHES REFERENCE

I, Jack Hayward Watson, 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 11th day of March, 1976.

Watson

CONVERSION TABLE ADDED IN RESURVEYING DEPARTMENT

FEET INCHES	METRES
1	0.254
2	0.508
3	0.762
4	1.016
5	1.270
6	1.524
7	1.778
8	2.032
9	2.286
10	2.540
11	2.794
12	3.048
13	3.302
14	3.556
15	3.810
16	4.064
17	4.318
18	4.572
19	4.826
20	5.080
21	5.334
22	5.588
23	5.842
24	6.096
25	6.350
26	6.604
27	6.858
28	7.112
29	7.366
30	7.620
31	7.874
32	8.128
33	8.382
34	8.636
35	8.890
36	9.144
37	9.398
38	9.652
39	9.906
40	10.160
41	10.414
42	10.668
43	10.922
44	11.176
45	11.430
46	11.684
47	11.938
48	12.192
49	12.446
50	12.700
51	12.954
52	13.208
53	13.462
54	13.716
55	13.970
56	14.224
57	14.478
58	14.732
59	14.986
60	15.240
61	15.494
62	15.748
63	16.002
64	16.256
65	16.510
66	16.764
67	17.018
68	17.272
69	17.526
70	17.780
71	18.034
72	18.288
73	18.542
74	18.796
75	19.050
76	19.304
77	19.558
78	19.812
79	20.066
80	20.320
81	20.574
82	20.828
83	21.082
84	21.336
85	21.590
86	21.844
87	22.098
88	22.352
89	22.606
90	22.860
91	23.114
92	23.368
93	23.622
94	23.876
95	24.130
96	24.384
97	24.638
98	24.892
99	25.146
100	25.400

AC RD P
5 1 24
5 1 8
2.185
2.155

HA



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

11/1/2023 11:23PM

FOLIO: 2/508780

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 9685 FOL 238

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
20/6/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
19/5/1994		AMENDMENT: LOCAL GOVT AREA	
28/2/2001	7444457	DISCHARGE OF MORTGAGE	EDITION 1
20/11/2020	AQ572454	TRANSFER	EDITION 2

*** END OF SEARCH ***

advlegs

PRINTED ON 11/1/2023



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

11/1/2023 11:23PM

FOLIO: 300/625002

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14843 FOL 16

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
10/10/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
12/7/1990	Z109531	DISCHARGE OF MORTGAGE	
12/7/1990	Z109532	DISCHARGE OF MORTGAGE	
12/7/1990	Z109533	TRANSFER	EDITION 1
7/1/1992	E172775	TRANSFER	
7/1/1992	E172776	MORTGAGE	EDITION 2
10/12/1996	2678955	DISCHARGE OF MORTGAGE	
10/12/1996	2678956	TRANSFER	EDITION 3
7/1/2004	AA302490	NOTICE OF DEATH	EDITION 4
21/3/2004	AA501351	DEPARTMENTAL DEALING	
2/10/2007	AD456269	TRANSFER	
2/10/2007	AD456270	MORTGAGE	EDITION 5
31/3/2010	AF405462	DISCHARGE OF MORTGAGE	
31/3/2010	AF405463	MORTGAGE	EDITION 6
11/2/2017	AM136142	DISCHARGE OF MORTGAGE	
11/2/2017	AM136143	MORTGAGE	EDITION 7
15/9/2018	AN713179	DEPARTMENTAL DEALING	EDITION 8 CORD ISSUED
16/5/2019	AP255036	CAVEAT	
16/7/2019	AP395727	MORTGAGE	EDITION 9 CORD ISSUED
28/2/2020	AP928753	CAVEAT	
2/3/2020	AP936342	DISCHARGE OF MORTGAGE	EDITION 10

END OF PAGE 1 - CONTINUED OVER

advlegs

PRINTED ON 11/1/2023

NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

11/1/2023 11:23PM

FOLIO: 300/625002

PAGE 2

Recorded -----	Number -----	Type of Instrument -----	C.T. Issue -----
			CORD ISSUED
13/11/2020	AQ554840	WITHDRAWAL OF CAVEAT	
13/11/2020	AQ554841	DISCHARGE OF MORTGAGE	
13/11/2020	AQ554842	TRANSFER	EDITION 11

*** END OF SEARCH ***

advlegs

PRINTED ON 11/1/2023



NEW SOUTH WALES LAND REGISTRY SERVICES - HISTORICAL SEARCH

SEARCH DATE

11/1/2023 11:23PM

FOLIO: 301/625002

First Title(s): SEE PRIOR TITLE(S)
Prior Title(s): VOL 14843 FOL 17

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
10/10/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
14/5/1993	I332589	DISCHARGE OF MORTGAGE	
14/5/1993	I332590	MORTGAGE	EDITION 1
28/1/2000	6519816	DISCHARGE OF MORTGAGE	
28/1/2000	6519817	MORTGAGE	EDITION 2
5/7/2006	AC435002	DISCHARGE OF MORTGAGE	
5/7/2006	AC435003	TRANSFER	EDITION 3

*** END OF SEARCH ***

advlegs

PRINTED ON 11/1/2023



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 2/508780

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
11/1/2023	11:23 PM	2	20/11/2020

LAND

LOT 2 IN DEPOSITED PLAN 508780
AT MEDOWIE
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF STOWELL COUNTY OF GLOUCESTER
TITLE DIAGRAM DP508780

FIRST SCHEDULE

BROCKLESBY ROAD PTY LTD (T AQ572454)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 11/1/2023



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 300/625002

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
11/1/2023	11:23 PM	11	13/11/2020

LAND

LOT 300 IN DEPOSITED PLAN 625002
AT MEDOWIE
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF STOWELL COUNTY OF GLOUCESTER
TITLE DIAGRAM DP625002

FIRST SCHEDULE

BROCKLESBY ROAD PTY LTD (T AQ554842)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

advlegs

PRINTED ON 11/1/2023



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 301/625002

SEARCH DATE	TIME	EDITION NO	DATE
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11/1/2023	11:23 PM	3	5/7/2006

LAND

LOT 301 IN DEPOSITED PLAN 625002
AT MEDOWIE
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF STOWELL COUNTY OF GLOUCESTER
TITLE DIAGRAM DP625002

FIRST SCHEDULE

DEBBIE MAREE GRAHAM (T AC435003)

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

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PRINTED ON 11/1/2023

APPENDIX D:

Aerial Photographs

Aerial Photographs

1954



1966



1976



1984



1998



2006



2016



2022



APPENDIX E:


Site Photographs



Photograph 1 - Residential Dwelling - 39 Brocklesby Road, Medowie



Photograph 2 - Residential Dwelling - 39 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	1 and 2
	Title:	Site Photographs		



Photograph 3 - Septic Tank - 39 Brocklesby Road, Medowie



Photograph 4 - Home Office - 39 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	3 and 4
	Title:	Site Photographs		



Photograph 5 - Concrete slab - 39 Brocklesby Road, Medowie

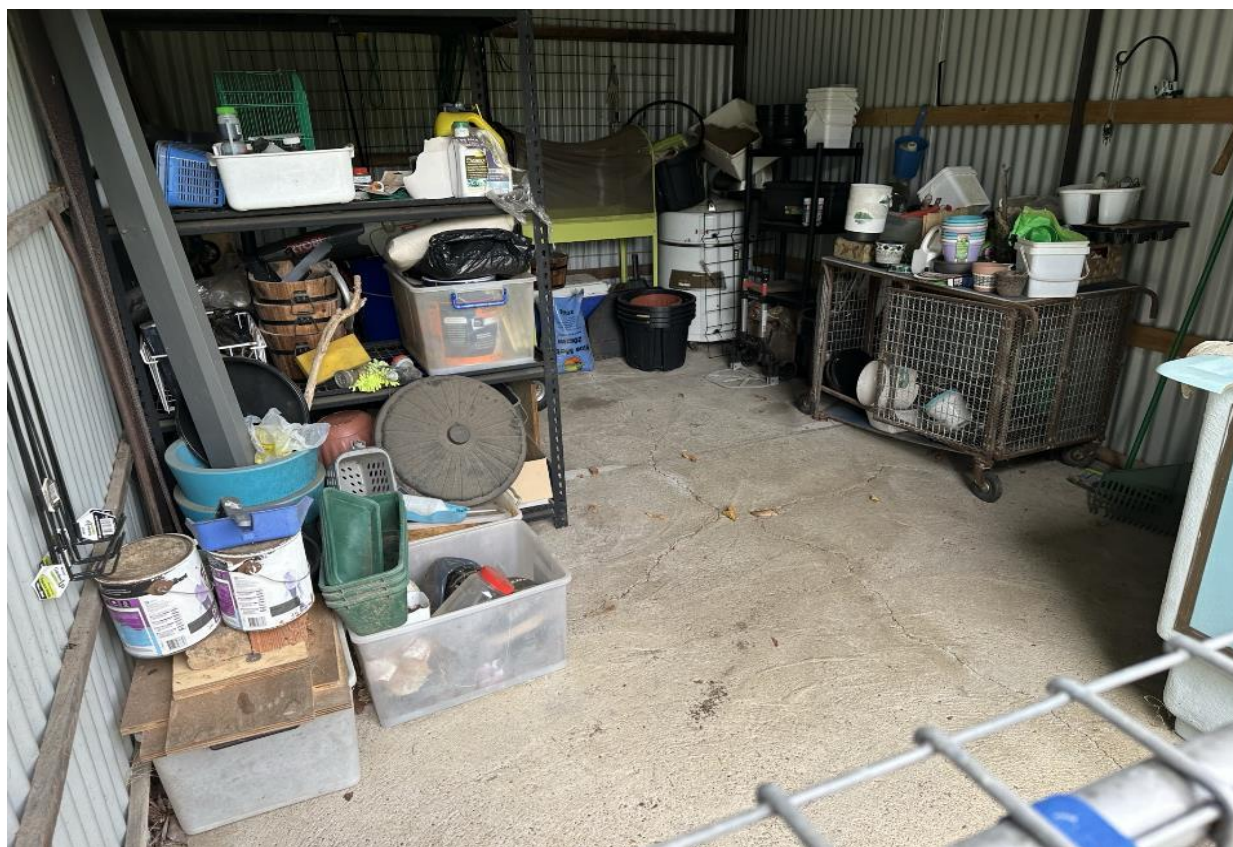


Photograph 6 - Stored equipment including potential ACM - 39 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	5 and 6
	Title:	Site Photographs		



Photograph 7 - Gravel driveway/carport - 39 Brocklesby Road, Medowie



Photograph 8 - Eastern portion of shed storage of household items - 39 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	7 and 8
	Title:	Site Photographs		



Photograph 9 - Caravan/ boat - 39 Brocklesby Road, Medowie



Photograph 10 - Dam 1 - 39 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	9 and 10
	Title:	Site Photographs		



Photograph 11 - (Dam1) fill material - 39 Brocklesby Road, Medowie



Photograph 12 - (SP1) - 39 Brocklesby Road, Medowie

	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	11 and 12
	Title:	Site Photographs		



Photograph 13 - (shed 2) exterior - 39 Brocklesby Road, Medowie



Photograph 14 - (shed 2) interior - 39 Brocklesby Road, Medowie




Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
Project:	Preliminary Contamination Assessment	Date:	2/02/2023
Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	13 and 14
Title:	Site Photographs		



Photograph 15 - Shipping container - 39 Brocklesby Road, Medowie



Photograph 16 - Fence west of the shipping container - 39 Brocklesby Road, Medowie

	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	15 and 16
	Title:	Site Photographs		



Photograph 17 - (Shed 3) animal shed/ shelter- 39 Brocklesby Road, Medowie



Photograph 18 - SP2 to SP7 - 39 Brocklesby Road, Medowie




Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
Project:	Preliminary Contamination Assessment	Date:	2/02/2023
Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	17 and 18
Title:	Site Photographs		



Photograph 19 - Drum found near (SP2toSP7) - 39 Brocklesby Road, Medowie



Photograph 20 - exterior of shed 4 - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	19 and 20
	Title:	Site Photographs		



Photograph 21 - Interior of shed 4 - 39A Brocklesby Road, Medowie



Photograph 22 - Fill mound west of residential building - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	21 and 22
	Title:	Site Photographs		



Photograph 23 - SP8 - 39A Brocklesby Road, Medowie



Photograph 24 - Stored waste - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	23 and 24
	Title:	Site Photographs		



Photograph 25 - Stored equipment/waste - 39A Brocklesby Road, Medowie

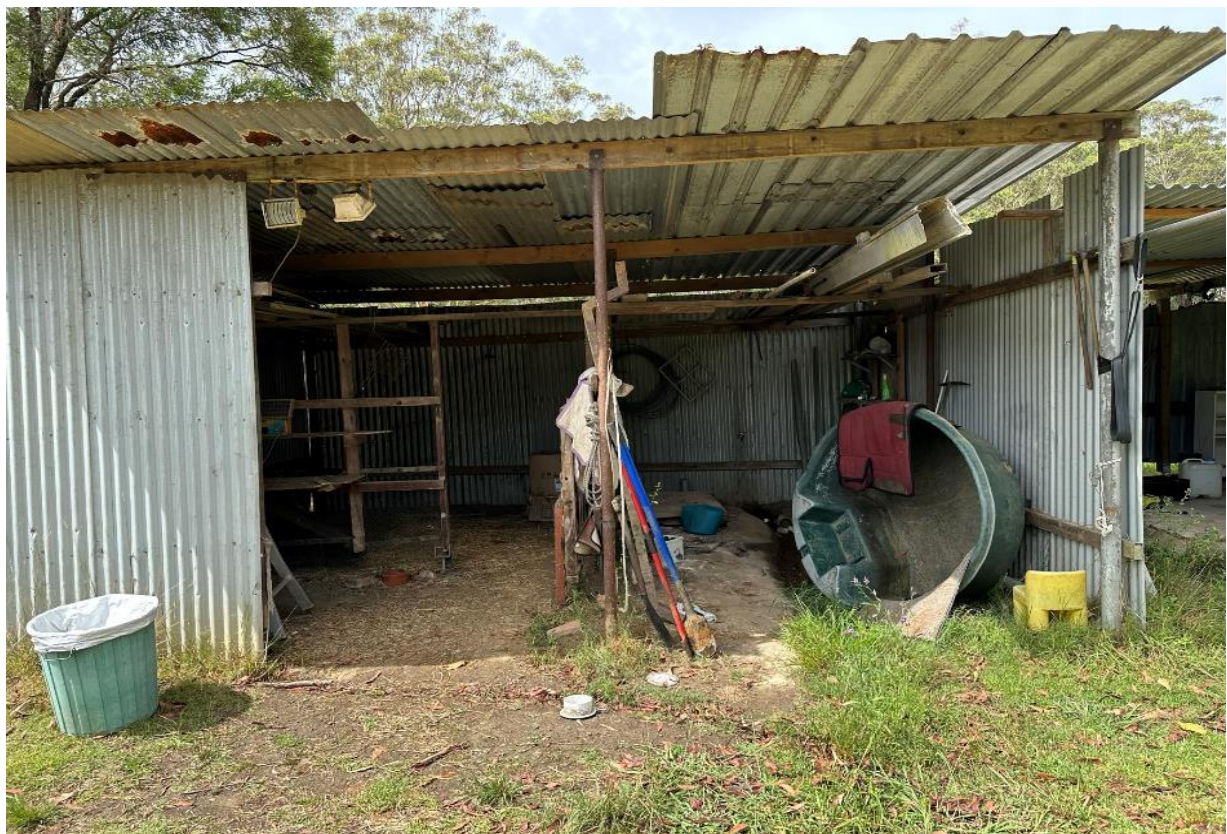


Photograph 26 - Stored waste - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	25 and 26
	Title:	Site Photographs		



Photograph 27 - Shed 5 - 39A Brocklesby Road, Medowie



Photograph 28 - Shed 5 - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	27 and 28
	Title:	Site Photographs		



Photograph 29 - Shed 5 - 39A Brocklesby Road, Medowie



Photograph 30 - Swale drain- 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	29 and 30
	Title:	Site Photographs		



Photograph 31 - Fruit trees - 39A Brocklesby Road, Medowie



Photograph 32 - Driveway - 39A Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	31 and 32
	Title:	Site Photographs		



Photograph 33 - Septic tank - 39A Brocklesby Road, Medowie



Photograph 34 - Residential dwelling- 41 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	33 and 34
	Title:	Site Photographs		



Photograph 37 - Fenced garden - 41 Brocklesby Road, Medowie



Photograph 38 - Imported gravel driveway - 41 Brocklesby Road, Medowie

	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	37 and 38
	Title:	Site Photographs		



Photograph 39 - SP9 - 41 Brocklesby Road, Medowie



Photograph 40 -Eastern portion of Lot - 41 Brocklesby Road, Medowie




Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
Project:	Preliminary Contamination Assessment	Date:	2/02/2023
Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	39 and 40
Title:	Site Photographs		



Photograph 41 - Fruit trees - 41 Brocklesby Road, Medowie



Photograph 42 - Small swale drain - 41 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	41 and 42
	Title:	Site Photographs		



Photograph 43 - Mulch Stockpiles - 41 Brocklesby Road, Medowie



Photograph 44 - Garden bed, septic infiltration area and car cover - 41 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	43 and 44
	Title:	Site Photographs		



Photograph 45 - Concrete slab - 41 Brocklesby Road, Medowie



Photograph 46 - Septic tank - 41 Brocklesby Road, Medowie


	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	45 and 46
	Title:	Site Photographs		



Photograph 47 - Tree stockpiles - 41 Brocklesby Road, Medowie




Photograph 48 - Rotary hoe - 41 Brocklesby Road, Medowie

	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	47 and 48
	Title:	Site Photographs		



Photograph 49 - Western portion - 41 Brocklesby Road, Medowie

	Client:	McCloy Group Pty Ltd	Project No:	NEW23P-0009-AA
	Project:	Preliminary Contamination Assessment	Date:	2/02/2023
	Location:	39, 39A and 41 Brocklesby Road, Medowie	No:	49
	Title:	Site Photographs		

APPENDIX F:

NSW EPA Records

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

Search results

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

Suburb - medowie

returned 0 results

[Search Again](#)

MAYFIELD WEST	Koppers Coal Tar	East of Woodstock Street and Tourle STREET	Other Industry	Contamination currently regulated under POEO Act	-32.88592437	151.7361839
MAYFIELD WEST	Tourle Street Bridge Project	Tourle STREET	Landfill	Regulation under CLM Act not required	-32.88075518	151.7330073
MCDUGALLS HILL	Caltex Service Station	4949 New England HIGHWAY	Service Station	Regulation under CLM Act not required	-32.54484714	151.1490757
MEADOWBANK	Former Council Works Depot	2 Parsonage STREET	Unclassified	Regulation under CLM Act not required	-33.82191421	151.0951974
MENAI	7-Eleven (Former Mobil) Service Station Menai	289 Menai ROAD	Service Station	Contamination currently regulated under CLM Act	-34.01579095	151.0131737
MENAI	Caltex Service Station Menai	1 Carter Road ROAD	Service Station	Regulation under CLM Act not required	-34.01654043	151.0124133
MENANGLE	285 Finns Road, Menangle NSW	285 Finns ROAD	Unclassified	Regulation under CLM Act not required	-34.1291386	150.7010393

Map view

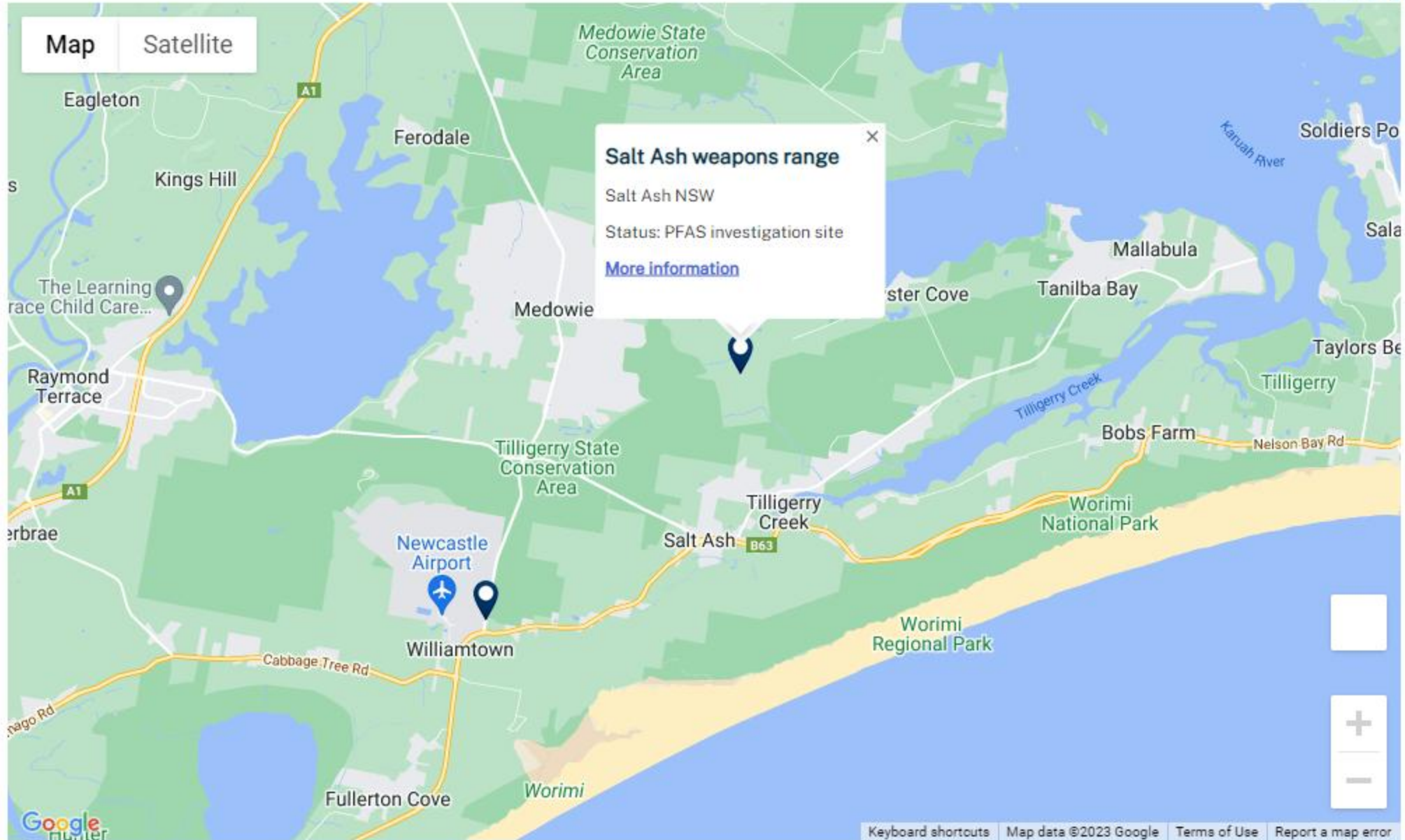
List view

Filter by

No filter set

Showing 2 of 50 sites

[Reset map](#)



Keyboard shortcuts | Map data ©2023 Google | Terms of Use | Report a map error

PFAS investigation site ☒

Multiple sites

APPENDIX G:

Section 10.7 Certificate

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

APPLICANT DETAILS:

**Libby
2 Murray Dwyer Cct 2304**

Reference: NEW23P-0009

Issue Date: 11/01/2023

PROPERTY DESCRIPTION:

**39A Brocklesby Road MEDOWIE NSW 2318 Parcel No: 1166
LOT: 300 DP: 625002**

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

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.

Draft Development Control Plan 2014 - Housekeeping

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

No environmental planning instrument applies additional permitted use provisions to this land.

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 Polcy.

6. Affected building notices and building product rectification orders

(1) Whether nor 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 subdivison 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.

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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.

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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

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

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

APPLICANT DETAILS:

**Libby
2 Murray Dwyer Cct 2304**

Reference: NEW23P-0009

Issue Date: 11/01/2023

PROPERTY DESCRIPTION:

**41 Brocklesby Road MEDOWIE NSW 2318 Parcel No: 1168
LOT: 2 DP: 508780**

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

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.

Draft Development Control Plan 2014 - Housekeeping

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

No environmental planning instrument applies additional permitted use provisions to this land.

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 Polcy.

6. Affected building notices and building product rectification orders

(1) Whether nor 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).

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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.

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- (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.

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