

PRELIMINARY SITE CONTAMINATION INVESTIGATION

at

**PROPOSED TOWNHOUSE DEVELOPMENT, FLEET STREET
SALAMANDER BAY, NSW**

for

WANDA BEACH ESTATE PTY LTD.

Project No. 254828.PSI. Rev A

18th of August 2025

EXECUTIVE SUMMARY

DRB Consulting Engineers (DRB) were engaged by Wanda Beach Estate Pty Ltd (Wanda Beach) to undertake a Phase 1 Preliminary Site Investigation (PSI) within 4 Fleet Street, Salamander Bay (the Property). The PSI was undertaken to provide preliminary contamination advice to support the proposed development of 30 townhouses within a portion of the Property defined as the Site.

The PSI comprised a desktop review and site inspection without sampling. The assessment identified multiple potential contamination sources associated with the former use of the property as a self-catered retreat, which included cabins, a conference centre, recreational facilities, and associated infrastructure. Observations confirmed the presence of heterogeneous fill (surface and in stockpiles), demolition waste, asphaltic stockpiles, and a backfilled saltwater pool, each representing potential sources of contamination.

Contaminants of Potential Concern (COPC) include heavy metals, hydrocarbons (TRH/BTEX), PAHs, phenols, pesticides, salinity, asbestos, CCA-treated timber residues, refrigerants, and PCBs. Exposure pathways may be complete for construction workers, future residents, neighbouring properties, groundwater, and surface water receptors.

To address identified risks, a Detailed Site Investigation (DSI) is recommended, including soil and fill sampling and analysis, installation of groundwater monitoring wells, groundwater monitoring, waste classification, asbestos screening, and confirmatory assessment of identified materials. Disposal of demolition stockpiles and the development of an Unexpected Finds Protocol are also advised.

Following the implementation of the recommended investigations and, where required, remediation or management of identified contamination, the Site can be made suitable for the proposed townhouse development (Residential A land use) in accordance with the requirements of the *National Environment Protection (Assessment of Site Contamination) Measure (1999, as amended in 2013)* (ASC NEPM).



TABLE OF CONTENTS

Executive Summary	2
1 Introduction	4
1.1 Objectives	5
1.2 Scope of work	5
2 Site Details	6
2.1 Site Identification	6
2.2 SITE HISTORY	6
2.3 Desktop Study	6
2.4 Site Walkover Observations	12
2.5 Data Gaps	14
3 Preliminary Conceptual Site Model	15
4 Conclusion and Recommendations	18
5 Report Limitations	19
6 APPENDICES	20

LIST OF TABLES

Table 2-1: Summary of Site Details	6
Table 2-2: Desktop Study	7
Table 2-3: Section 10.7 Planning Constraints Summary	10
Table 2-4: Summary of Site Walkover Observations	13
Table 3-1: Preliminary Source-Receptor Pathway Model for the Site	15

LIST OF FIGURES

Figure 1 – Approximate location of the Site (investigation areas bordered in red)	4
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1.1 OBJECTIVES

The objectives of the PSI are to:

- Identify evidence of potentially contaminating activities that may currently or have historically occurred on or near the Site.
- Assess Areas of Environmental Concern (AEC's) and Contaminants of Potential Concern (COPCs) and develop a preliminary Conceptual Site Model (CSM).
- Prepare a report outlining the desktop review, site observations and provide recommendations for further investigation, remedial works and/ or management, as required.

1.2 SCOPE OF WORK

The scope of works undertaken to meet the objectives includes:

- A site walkover to complete a visual assessment of current site activities, identify potential sources of contamination, property and site boundaries, surrounding land uses, topography, drainage, and nearby sensitive environments.
- Review and collation of the above information and confirmation of potential AECs and COPCs for the Site and development of a preliminary CSM.
- Completion of a desktop study including the following:
 - A review of published information and readily available information related to soils, geology and hydrogeology.
 - A review of selected, readily available historical aerial photography and satellite imagery over the past 50 to 60 years.
 - A review of Council Section 10.7 planning certificates for the lots comprising the Site, land title, historical aerial images and NSW EPA records.
 - A review of the NSW Planning Portal to identify potential constraints related to site contamination.
 - A review of NSW Environmental Protection Authority (EPA) notices under the Contaminated Land Management Act (1997), review of the NSW EPA register of contaminated sites.
 - Collation of the above information and identification of potential areas of environmental concern (AECs).
- A preliminary contamination investigation report (this report) has been prepared to document the findings of the assessment. The report has been prepared in general accordance with the relevant NSW EPA guidelines.

2 SITE DETAILS

Key site identification, layout, history and environmental setting information has been summarised in the following sections, based on a review of readily available information online and observations made during a site walkover. A Principal environmental scientist from DRB conducted the site walkover on the 12th of August 2025. Observations of the Site made during the walkover are discussed in Section 2.4.

2.1 SITE IDENTIFICATION

Site identification information is provided in Table 2-1. The location and layout of the Site are shown in Figure 1 and Figure 2 in Appendix A.

Table 2-1: Summary of Site Details

Site Address	4 Fleet Street, Salamander Bay NSW 2317
Site Cadastre	Parts Lot 1 and Lot 20 DP 285191 and Lot 2 DP 791551
Zoning	R2: Low Density Residential
Local Government Area	Port Stephens Council (Council)
Previous Land Use	Site historically formed part of the Colonial Ridge Retreat Hotel, with a salt-water pool, tennis courts and gardens.
Current Land Use	Within the proposed development site: Disused former retreat cabins and main conference building, storage of numerous fill stockpiles, solid wastes related to the former hotel operations Surrounding the proposed development site: Recently constructed town homes.
Proposed Land Use	30 town houses.
Adjoining site Uses	• North – New residential structures. Older structures including garages to the northeast. • South – Old Cabins north of Anchor Close. • East – Old cabin structures. New residences to the southeast (Inlet Close) • West – Vacant, cleared land, bushland further west.

2.2 SITE HISTORY

- The Site was historically part of the former Colonial Ridge Retreat, a self-catering cabin-based holiday facility.
- Site contained a large conference facility located to the west.
- A salt-water pool was located within the proposed development footprint.
- Following closure, the saltwater pool was decommissioned and backfilled.

2.3 DESKTOP STUDY

Information for the desktop study was obtained from the following sources:

- Geological, topographic, soil landscapes and hydrology in selected online public databases including, eSpade, Minview.
- A search of the WaterNSW public register for groundwater bores.

- Selected historical aerial images and photographs dating back to 1971.
- A review of title records.
- A review of Port Stephens Council Section 10.7 Planning Certificates (for 5 lots) and the NSW Spatial Planning Portal.
- A search of the NSW EPA contaminated land public register of declared or notified contaminated sites for listings of the Site and nearby area, PFAS investigation areas and registered gasworks sites.
- A review of SafeWork NSW Naturally Occurring Asbestos register.

The desktop review is summarised in Table 2-2. Aerial photographs are included in Appendix A.

Table 2-2: Desktop Study

Soil landscape and Topography	The NSW Department of Planning eSpade Ver 2.2 online database¹ identifies the Site as being within the North Arm Cove Soil Landscape which occurs around North Arm Cove and Bundabah in the Coweambah Hills physiographic region on the northern side of Port Stephens. The landscape comprises undulating rises to rolling low hills developed on ignimbrites of the Nerong Volcanics, with associated toscanite, dacite, andesite, agglomerate, conglomerate, sandstone, and siltstone. Local relief is up to 50 m, with slope gradients generally less than 15%. Landforms include broad ridges and crests (typically over 200 m wide), smooth and gently inclined slopes of moderate length, and narrow drainage lines. Minor areas of steep slopes and narrow peaked crests occur, often with an uneven, boulder-strewn surface. Vegetation has been partially to extensively cleared, transitioning from Eucalypt–Angophora open forest to Eucalypt tall, closed forest. The Site is positioned on a flat, elevated plateau forming the upper surface of a ridgeline, with minimal surface undulation across the proposed development area. Pronounced decreases in elevation occur towards the Site boundaries, with steep gradients, particularly along the western boundary, leading to lower surrounding land. Adjacent properties, including both older and newer residential dwellings, are situated at elevations approximately 5–8 metres lower than the Site in some locations.
Hydrology and Surface Water	There were no local surface water features observed, with Salamander Bay located approximately 350m to the east of the Site. Rain falling on the site would largely infiltrate into the soil. Given the observed elevation of the Site above the surrounding landscape, surface water is expected to run off in the direction of slope (multiple given the position on a ridge).
Geology	Reference to the NSW Department of primary Industries and Regional Development, MinView online database², indicates that the Site is underlain by the Nerong Volcanics of the Myall Block, part of the New England Orogen. These rocks comprise predominantly ignimbrite interbedded with tuffaceous sandstone, with lesser occurrences of toscanite, dacite, and other volcanic lithologies. The dominant lithology is pyroclastic rock, deposited in a shallow marine–volcaniclastic environment during the Visean stage of the Carboniferous period (approximately 346.7–330.9 million years ago).

¹ <https://www.environment.nsw.gov.au/eSpade2Webapp/>

² <https://minview.geoscience.nsw.gov.au/#/?lon=148.5&lat=-32.5&z=7&l=>

Acid Sulfate Soils	The NSW Department of Planning, Industry and Environment's eSPADE Version 2.2 online database does not identify the Site within acid sulfate soils (ASS) mapping. Further confirmation was obtained through a search of the NSW Planning Portal Spatial Viewer³, which shows the Site is primarily mapped as Class 5 under the Port Stephens Local Environmental Plan (LEP) 2013. Under the LEP, Class 5 land requires development consent for: • Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum, and/or • Works likely to lower the water table below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land. Given the Site's elevation of approximately 17 mAHD, the Class 5 development triggers do not apply. Accordingly, an Acid Sulfate Soils assessment or management plan is not considered necessary at this stage.															
Naturally Occurring Asbestos	A search of the NSW Trade and Investment online Naturally Occurring Asbestos in NSW mapping⁴ showed no naturally occurring asbestos areas within or near the Site.															
Salinity	The NSW Department of Planning Industry and Environment eSpade Ver 2.2 online database identified no salinity data within the Site.															
Hydrogeology	Groundwater beneath the Site would occur within and unconfined aquifer in fractured rock at depths greater than 5m bgl. Groundwater would likely follow the local topography and flow to the east. A review of the Water NSW online All Groundwater Map⁵ identified 2 groundwater wells within 500m of the Site. Groundwater search results are included Appendix C. A summary of the available data is as follows:															
	<table><tr><th>Bore ID</th><th>Registered Use</th><th>Standing Water level (m)</th><th>Final Depth (m)</th><th>Licence Status</th></tr><tr><td>GW055010</td><td>Domestic</td><td>No Data</td><td>7.60</td><td>Current</td></tr><tr><td>GW055188</td><td>Domestic</td><td>6</td><td>9</td><td>Converted</td></tr></table>	Bore ID	Registered Use	Standing Water level (m)	Final Depth (m)	Licence Status	GW055010	Domestic	No Data	7.60	Current	GW055188	Domestic	6	9	Converted
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	GW055010	Domestic	No Data	7.60	Current											
GW055188	Domestic	6	9	Converted												
Historical Aerial Photographs	A review of the historical aerial photographs available on the NSW Government Spatial Services Portal Historical Imagery Viewer⁶, Geoscience Australia Historical Aerial Photography⁷, Google Earth[®] and Nearmap[®] was undertaken. Selected aerial photographs from 1971 to 2025 are included in Appendix A. A summary of the site features from 1971 to 2025 are as follows:															
	<table><tr><td>1971</td><td>The Site is currently covered in vegetation with no development evident even within the wider Property footprint. Clearings are visible to the north and south of the Property. These are both future residential communities within Salamander</td></tr></table>	1971	The Site is currently covered in vegetation with no development evident even within the wider Property footprint. Clearings are visible to the north and south of the Property. These are both future residential communities within Salamander													
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³ <https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/address>

⁴ <https://trade.maps.arcgis.com/apps/PublicInformation/index.html?appid=87434b6ec7dd4aba8cb664d8e646fb06>

⁵ <https://realtimedata.waternsw.com.au/water.stm>

⁶ <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccddda8075238cb>

⁷ <https://experience.arcgis.com/experience/9a0ecbaf94f49829712b46fc69186ff/page/Page/>

	Bay. Soldiers Point Road and residential properties are visible to the east of the Property. Extensive undeveloped bushland is visible to the west of the Property.
1975	The Site and immediate surrounds are generally unchanged; development is evident within the cleared communities to the north and south of the Property.
1984	The Site and Property are unchanged with additional development evident within the northern and southern communities.
1998	The Property now reflects the development of the Colonial Ridge Retreat, with cabins visible to the north, south and east of a cleared area in the centre of the Property and a tennis court to the northwest. This cleared area represents a significant portion of the Site. There is a pool evident to the east of the Site, along with a few small ancillary buildings. The surrounds to the north, east and south of the Property are more developed.
2007	The large main conference centre is now visible in the western portion of the Site in the centre of the Property. The remainder of the Property and surrounds are generally unchanged.
2010	The Site and surroundings are generally unchanged.
2015	The tennis court in the northwest appears discoloured with intrusion of grasses. The water level in the pool also appears very low in the image. This possibly suggests a reduction in activity at the Property.
2020	The swimming pool appears to contain floating debris, possibly algae. Several of the cabins to the southwest of the Property along Inlet Close appear to be refurbished and/or redeveloped.
2021	The swimming pool appears to have stockpiles of earth visible around it. Additional stockpiles of material are evident west of the large conference centre located within the Site. Additional development within Inlet Close is also evident.
2022	This March 2022 image shows the grassed area to the east of the conference building removed and road base being added. A truck and a grader are visible in proximity to the pool. A large stockpile of what appears to be demolition waste is visible to the east of the conference building. Additional, smaller stockpiles of demolition waste are evident just east of the conference building entrance. A stockpile of large rocks is evident just west of the pool. A trail appears to have been cleared to the west of the conference building.
2022	This December 2022 image shows a large stockpile of rocks and earth west of the swimming pool. The swimming pool has also been backfilled. Another large stockpile of rocks and earth is visible to the east of the conference building and has either partially covered the demolition waste previously in the location or the stockpile of demolition waste has reduced in size but is in close proximity to the rocks. The demolition waste stockpile closer to the conference building has also increased in volume, with rocks and soil also evident within or near the stockpile. Additional new cabins are observed to the north of the Site. Road improvement works also appear evident within the area.
2023	Two large rock and soil stockpiles are evident within the Site, northeast (in the vicinity of the now backfilled pool) and east. The demolition waste previously

	observed close to the large stockpile of rocks is no longer visible. It is unknown if the material has been removed or is buried beneath the now expanded stockpile footprint. Demolition waste stockpile just east of the conference building remains visible, with additional material now incorporated. A smaller, dark coloured stockpile of material is also visible in the central portion of the Site, between the two larger stockpiles (possibly asphalt waste). Also, there appears to be some material to the southwest of the former conference building, including cable reels, bricks and plastic pipes. Additional new cabins are observed north of the Site with the roads appearing to be resurfaced with asphalt.						
	2025 The Site appears generally unchanged with the central darker stockpile appearing to have additional material. The stockpile of demolition waste east of the conference building has also increased in size as has the number of materials stored to the southwest of the conference building. The bushland to the west of the Property has been cleared extensively.						
Title Search	A review of the title records provided by the Wanda Beach (refer Appendix C) indicates that the Property, located at Salamander Bay within the Port Stephens LGA has been extensively subdivided. The Certificate of Title for Folio 1/285191 (DP285191) confirms that the property is held by the Neighbourhood Association DP285191. The land is part of a registered Neighbourhood Scheme but is not within a Community Scheme. The title is subject to multiple easements and rights, including rights of way, easements for services, water supply, gas pipelines and storage, sewage drainage, bushfire hazard reduction, and electricity supply, with variable widths ranging from 1.0 metres to 7.1 metres as detailed in DP839815, AK683393 and DP1285707. Reservations from the original Crown Grant also apply. The subdivision plan (DP285191) was registered in 1995, creating Lots 25–50 from earlier parcels. No unregistered dealings are recorded on the title.						
Section 10.7 Planning Certificate	The following selection of Section 10.7 certificates were assessed and compared. • Lot 1, DP 285191 (4 Fleet Street, Salamander Bay) • Lot 15, DP 285191 (24 Ridgeview Drive, Salamander Bay) • Lot 20, DP 285191 (20 Ridgeview Drive, Salamander Bay) • Lot 33, DP 285191 (8 Anchor Cove, Salamander Bay) • Lot 2 DP 791551 (Bushland, 8 Fleet Street, Salamander Bay) Relevant planning constraints are summarised in Table 2-3 with the certificates included in Appendix C. Table 2-3: Section 10.7 Planning Constraints Summary <table><tr><th>Constraint</th><th>Detail</th><th>Comment</th></tr><tr><td>Zoning (LEP 2013)</td><td> • Lots 15, 20, 33, 1 are R2 Low Density Residential. • Lot 2 is dual-zoned R2 and C2 Environmental Conservation </td><td>R2 allows broad residential/community uses; C2 imposes significant environmental protection limits. Lot 2 is more constrained.</td></tr></table>	Constraint	Detail	Comment	Zoning (LEP 2013)	• Lots 15, 20, 33, 1 are R2 Low Density Residential. • Lot 2 is dual-zoned R2 and C2 Environmental Conservation	R2 allows broad residential/community uses; C2 imposes significant environmental protection limits. Lot 2 is more constrained.
Constraint	Detail	Comment					
Zoning (LEP 2013)	• Lots 15, 20, 33, 1 are R2 Low Density Residential. • Lot 2 is dual-zoned R2 and C2 Environmental Conservation	R2 allows broad residential/community uses; C2 imposes significant environmental protection limits. Lot 2 is more constrained.					

	Complying Development	• Lots 15, 20, 1 – Not permitted. • Lot 33 – Permitted under multiple SEPP codes. • Lot 2 – Not permitted	Lot 33 is the only parcel with broader complying development rights, increasing flexibility for minor works.
	Exempt Development	All lots are permitted under general SEPP exempt development codes (signage, temporary structures, minor works)	Standard limitations apply; no heritage constraints preventing exempt development.
	Heritage / Conservation	None of the lots are within a heritage conservation area or contain a listed heritage item	No additional heritage constraints apply.
	Biodiversity / Koala Habitat / ASS	None of the lots are mapped as areas of outstanding biodiversity value. No mapped koala habitat constraints. No mapped acid sulfate soils	No statutory biodiversity or ASS restrictions. Future DAs may still require ecological assessment if triggered by location/context.
	Contaminated Land	None of the lots are declared significantly contaminated land. All certificates reference SEPP (Resilience & Hazards) 2021 – Remediation of Land	No statutory contamination records, but site-specific contamination risk must still be considered during development.
	Development Standards	Lot 2 (C2 zone) subject to Clause 4.2B LEP 2013 – minimum lot size for dwelling houses applies	Applies only to bushland parcel; subdivision lots not affected.
	Land Acquisition & Road Widening	No land reserved for acquisition. No road widening/realignment affecting any lot	No constraints from public authority acquisition or road projects.
	Infrastructure Contributions	All lots subject to Port Stephens Local Infrastructure Contributions Plan 2020 (and draft amendment)	Standard contributions applicable for new development across all parcels.
Potential development implications of environmental constraints are: • Lots 15, 20, 33, and 1 (DP285191) are zoned R2 Low Density Residential, while Lot 2 (DP791551) is dual-zoned R2 and C2 Environmental Conservation. • The C2 zoning on Lot 2 imposes stricter environmental protection limits and a minimum			

	lot size standard for dwellings. • Complying development is generally not permitted on the residential lots, except for Lot 33, which has broader complying development rights under several SEPP codes. • Exempt development is permitted across all lots, with no heritage or conservation area restrictions. • None of the lots are identified as having outstanding biodiversity value, koala habitat, or mapped acid sulfate soils. • None of the lots are recorded as significantly contaminated land; however, all remain subject to SEPP (Resilience & Hazards) 2021 – Remediation of Land provisions. • No parcels are affected by land acquisition or road widening requirements. • All parcels are subject to the Port Stephens Local Infrastructure Contributions Plan 2020 (and draft amendment). • The critical differences are: ▪ Lot 2 (bushland) – constrained by C2 Environmental Conservation zoning. ▪ Lot 33 – retains expanded complying development rights not available to the other residential subdivision lots.
NSW EPA Contaminated Land Records	The NSW EPA maintain a publicly available database⁸ of records of written notices for preliminary investigation orders, copies of audits relating to significantly contaminated land and Environmental Protection Licences (EPLs) for various commercial and industrial site activities, under the <i>Contaminated Land Management Act 1997</i> (CLM Act) and <i>Protection of the Environment Operations Act 1997</i> (POEO Act). A search of the NSW EPA online contaminated land database (August 2025) did not identify the property within the records. A search of the POEO Public Register for Environment Protection licenses, applications, notices, audits or pollution studies and reduction programs (August 2025) did not identify the Site within its database.
Per- and Poly-Fluoroalkyl substances (PFAS)	A search of the NSW Government PFAS Investigation Program⁹ found that the Site is not located within or near (within 500m) to a known PFAS investigation area.
Former Gasworks Sites	A search of the NSW EPA list of Former Gasworks Sites¹⁰ did not include the Site nor was it located near to (500m) to a former gasworks site.
NSW Department of Industries	A search of the NSW Department of Primary Industries (DPI) Cattle Dip Site Locator¹¹ identified no cattle dips or former cattle dip locations near the Site.

2.4 SITE WALKOVER OBSERVATIONS

⁸ www.epa.nsw.gov.au/licensing-and-regulation/public-registers

⁹ www.epa.nsw.gov.au/your-environment/contaminated-land/pfas-investigation-program

¹⁰ <https://www.epa.nsw.gov.au/Your-environment/Contaminated-land/other-contamination-issues/former-gasworks-sites>

¹¹ www.dpi.nsw.gov.au/animals-and-livestock/beef-cattle/health-and-disease/parasitic-and-protozoal-diseases/ticks/cattle-dip-site-locator

A site walkover was completed by Dr. Paul Wright, Principal Environmental Scientist within the Site on the 12th of August 2025. The observations including photographs taken during the walkover are summarised in Table 2-4. Photographs are included in Appendix B.

Table 2-4: Summary of Site Walkover Observations

General Observations	• The Site was located on an elevated platform within the Property with steep slopes visible to the north, south and west (Photos 4, 5, 15, 16, 17, 19, 58). • The Property was observed to contain several disused cabins that formed part of the Colonial Ridge Resort (Photos 2, 5, 6, 7, 57, 59). These are generally located north of Anchor Close and west of Ridgeway Drive. • The older buildings including the former conference building were observed to be constructed of concrete, wood cladding, wood framing and Colourbond roofing. • New constructions were observed within Inlet Close (southwest of the Property) and along Ridgeway Drive, north of the Site) (Photos 3, 4, 12). • A large new Colourbond fence was observed along the northern boundary, separating the Site from the newer constructions along Ridgeway Drive (Photos 11, 12, 15 and 18). • A significant amount of fill including angular and rounded gravels, bricks, concrete, asphalt and asphaltic wastes and natural materials including boulders, rocks and stones was observed to comprise the surface across the Site (Photos 7, 8, 9, 10, 11, 16, 17). • The Site was observed to contain a large building, that was formerly a conference centre within the former Colonial Ridge Resort (Photos 20, 27, 30, 32, 43, 47, 48, 55). • The brick façade of the conference building was generally intact, however the roof comprising wood and Colourbond was degrading in multiple places, with fibreboard and wood framing exposed and visible in multiple places (Photos 21, 22, 23, 24, 27, 28, 30, 32, 33, 48). • The building was being partially dismantled with debris strewn around the exterior and present in multiple stockpiles (Photos 21, 22, 23, 30, 31, 34, 36, 37, 47, 48, 49, 50). • Two large stockpiles (totalling approximately 500-800m³) comprising boulders, rocks, bricks and soil were observed within the Site (Photos 13, 14, 38, 45, 46). • An additional stockpile approximately 40 – 50m³) comprising road base (reddish-brown gravelly fill), asphaltic gravels pieces and more recently deposited asphalt waste was observed (Photos 39, 40, 41, 42).
Odours / Emissions	Asphaltic odours were noted near the stockpile containing asphaltic wastes and freshly deposited asphalt (Photos 39, 40, 41, 42).
Noise / Vibration	No noise or vibrations were evident.
Wastes	Significant waste was observed across the Site including: • Fill and natural rock and soil stockpiles (Photos 13, 14, 15, 15, 38, 39, 40, 41, 42, 43, 45, 46). • Wood pallets, concrete hardstand, asphalt gravel stockpile and metal waste along northern fence line (Photos 6, 7, 8). • Metal fencing, plastic fence footings, metal, wood pallets in the northwest portion of the Site (Photos 17, 18) • Fibre board sheeting (west of the conference building) (Photos 21, 22, 24, 25, 28, 29). • Demolition waste including broken porcelain toilets, microwaves, fridges, assorted appliances, steel, plastic and steel chairs, wood including branches, treated wood poles and pallets, lounges, mattresses, stoves, drywall, a jerrycan (containing no fuel), concrete

	slabs, tires, concrete lumps, air conditioners, old bins, old radios, gyprock, large gas bottle (Photos 30 – 37, 43 – 44, 47 – 55). • Building materials, southwest of the conference building (Photos 55, 56).
Material Storage	Some old containers containing gyprock were observed in an old garage southwest of the former conference building (Photos 50, 51).
Structures	A large conference building within the Site and several cabins both old and disused and new within the wider Property.
Surface Water	No surface water was observed within the Site.
Signs of contamination	No stains were evident, however there was significant amounts of solid waste observed and mixed fill stockpiles present within the Site. Minor asphaltic odours related to freshly disposed asphaltic waste was detected.

2.5 DATA GAPS

There were a few data gaps identified in the desktop study. These include:

- **Gaps in Aerial Photography History**
 - The desktop review of historical aerial photographs had intervals of approximately 10 years between some images.
 - Possibility that short-term or transient historical activities may not have been captured or observed.
 - It is noted that much of the more recent changes were observable in Nearmap imagery, with imagery separated by months examined between 2018 and present).
- **Material Storage**
 - Given the nature of the historic operation, there is the potential that localised fuel storage, pool chemicals, cleaning chemicals and landscaping chemicals (weedicides and pesticides) were used as part of the resort operations.

3 PRELIMINARY CONCEPTUAL SITE MODEL

Table 3-1 summarises the potential source–pathway–receptor linkages within the Site. A preliminary conceptual site model (CSM) presenting the source–pathway–receptor modelling is provided in Table 3-1.

Table 3-1: Preliminary Source-Receptor Pathway Model for the Site

Potential Source(s)	COPC	Potential Pathway(s)	Potential Receptor(s)	Exposure Pathway Completion	Comments
Fill of unknown origin and former operational impacts	Heavy metals, TRH, BTEX, phenols, PAH, OCP, OPP	Direct contact, ingestion, inhalation; leaching to groundwater; stormwater runoff to downslope areas	Future residents (adults/children), construction & maintenance workers, downslope neighbours, transient wildlife, groundwater and surface water dependent ecosystems	Potentially complete	Mixed fill materials observed including asphaltic materials, gravels, road base etc.
Mixed fill stockpiles (boulders, bricks, concrete, soils)	Heavy metals, TRH, BTEX, phenols, PAH	Direct contact, ingestion, inhalation; leaching to groundwater; stormwater runoff to downslope areas	Future residents (adults/children), construction & maintenance workers, downslope neighbours, transient wildlife, groundwater and surface water dependent ecosystems	Potentially complete	Large fill stockpiles observed over large areas; verification sampling needed to classify and assess management options (reuse, capping, off-site disposal).
Demolition waste from within former conference building	Heavy metals, TRH, BTEX, phenols, PAH,	Direct contact, ingestion, inhalation; leaching to	Future residents (adults/children), construction &	Potentially complete	Significant solid waste piles noted; segregation, hazardous building

Potential Source(s)	COPC	Potential Pathway(s)	Potential Receptor(s)	Exposure Pathway Completion	Comments
(porcelain, appliances, plastics, timber, metals)	PCB (low-likelihood), asbestos	groundwater; stormwater runoff to downslope areas	maintenance workers, downslope neighbours, transient wildlife, groundwater and surface water dependent ecosystems		materials survey, and waste classification required prior to earthworks.
Asphalt & asphaltic gravels stockpile (asphaltic odour noted)	PAHs, TRH	Direct contact, ingestion, inhalation; leaching to groundwater; stormwater runoff to downslope areas	Future residents (adults/children), construction & maintenance workers, downslope neighbours, transient wildlife, groundwater and surface water dependent ecosystems	Potentially complete	Fresh asphaltic waste observed with discernible odour. Sample and analyse (PAHs, TRH) and assess management options (onsite reuse or offsite disposal).
Backfilled salt-water pool area	Heavy metals, TRH, BTEX, PAH, Salinity (Cl ⁻ , Na)	Direct contact, ingestion, inhalation, leaching to groundwater.	Construction workers; groundwater users (off-site bores)	Potentially complete	Pool was decommissioned & backfilled; characterise backfill and check salinity.
Fibre board cement sheeting observed near conference building (from eaves)	Asbestos (ACM)	Fibre inhalation from damaged/handled material; soil disturbance spreading fragments	Construction workers, future residents (if not removed)	Potentially incomplete (during demolition/earthworks)	Confirm whether fibre board sheets contain ACM. Relatively unlikely given the age of construction (1998 – 2008).

Potential Source(s)	COPC	Potential Pathway(s)	Potential Receptor(s)	Exposure Pathway Completion	Comments
Gyprock stored in old garage	Gypsum (benign), possible lead paint, silica dust	Dust generation; direct contact	Workers during handling/clear-out	Potentially incomplete	Materials in covered, plastic containers. Manage as construction waste.
Electrical items/appliances (fridges, AC units, radios) within waste piles	TRH, refrigerants, mercury (switches), lead	Direct contact; ingestion, inhalation, leaching to soil	Construction workers and future residents, downgradient neighbours	Potentially complete	Materials to be removed and disposed with footprints assessed following removal.
Treated timber, pallets, timber poles (solid waste stockpiles only)	CCA preservatives (As/Cr/Cu), PAHs	Direct contact; leaching to soil	Construction workers and future residents	Potentially complete	Segregate & dispose/reuse appropriately; test adjacent soils if timber stored long-term on bare ground.
Historic resort chemical use (landscaping, pool chemicals, cleaning)	Nutrients, herbicides/pesticides (legacy), cyanuric acid/chlorine residuals	Direct contact; leaching/runoff (localised)	Construction workers and future residents	Potentially complete (low-likelihood)	No storage observed; treat as data gap, targeted sampling near former pool/services and maintenance areas.

Total Recoverable hydrocarbons – TRH; Benzene, Toluene, Ethylbenzene, Xylene and Naphthalene (BTEXN); Heavy Metals (Arsenic (As), Cadmium (Cd), Chromium (Cr), Copper (Cu), Lead (Pb), Mercury (Hg), Nickel (Ni), Zinc (Zn)); Polycyclic Aromatic Hydrocarbons (PAH); Copper, Chromium and Arsenic (CCA); Polychlorinated Biphenyls (PCB).

4 CONCLUSION AND RECOMMENDATIONS

The Preliminary Site Investigation (PSI) has identified several potential contamination sources associated with the site's historical and current land uses. The Property was formerly developed and operated as a self-catered retreat, incorporating cabins, a conference facility, recreational amenities, and associated infrastructure (Colonial Ridge Retreat). Observations made during the PSI confirm the presence of heterogeneous fill and various stockpiles of construction and demolition waste across the property. The following contaminant risks are identified:

- Heterogeneous fill of unknown origin is present across the Site, including asphaltic materials, gravels, road base, concrete, bricks, and soils. These materials present a potential source of metals, hydrocarbons (TRH/BTEX), PAHs, phenols, and pesticides.
- Stockpiles of demolition and solid waste (timber, treated timber, appliances, porcelain, plastics, metal, asphalt) remain on-site and may represent sources of heavy metals, PAHs, TRH, PCBs, refrigerants, and asbestos-containing material (ACM).
- Asphaltic waste stockpiles with hydrocarbon odour were identified, which are a potential source of PAHs and TRH.
- The backfilled saltwater swimming pool represents a potential contamination source, including salinity (Cl^- , Na), hydrocarbons, and metals, with risk of leaching to soil and groundwater.
- Fibre board sheets were observed in association with the former conference centre. While construction dates (1998–2008) suggest ACM use is unlikely, assessment is required to confirm risk.
- Appliances and electrical items present in stockpiles may contain refrigerants, oils, lead solder, or mercury switches, representing a contamination and waste management risk.
- Treated timber waste (pallets, poles, structural elements) may contain arsenic, chromium, and copper (CCA preservatives), with potential soil impacts if stockpiled directly on bare ground.
- Historical operation of the retreat may have involved the use of landscaping chemicals, pool maintenance products, and cleaning agents, which present a low but plausible contamination risk requiring investigation.

Based on the identified potential sources, complete or potentially complete exposure pathways exist for construction and maintenance workers, future residents (Residential A setting), neighbouring properties, transient wildlife, and groundwater/surface water receptors. The following recommendations are made to close the identified data gaps and address the potentially complete pathways identified in the CSM:

- Undertake a Detailed Site Investigation (DSI) including sampling and analysis of fill across the Site, mixed fill and natural material stockpiles, demolition stockpiles (soil components excluding solid waste), asphaltic waste, and the backfilled pool area for COPC identified in the preliminary CSM.
- Remove and dispose the demolition waste stockpiles and assess the footprints for residual contamination.
- Install a minimum of three shallow groundwater monitoring wells down-gradient of identified fill and waste areas. Analyse groundwater samples for metals, hydrocarbons, PAHs, pesticides, and salinity. Assess stormwater pathways for potential off-site migration risks.
- Collect and analyse fibre board sheets and fragments to confirm or exclude ACM.
- Develop an Unexpected Finds Protocol (UFP) for the management of unexpected potentially contaminated and other materials during demolition/earthworks.
- Maintain waste piles in controlled conditions until classification and removal. Implement appropriate erosion, sediment, and dust controls to prevent migration during investigation and redevelopment.

Provided that the recommended investigations are undertaken and any identified contamination is appropriately managed through remediation and validation, the Site can be made suitable for the proposed townhouse development (Residential A land use).

5 REPORT LIMITATIONS

This Preliminary Site Investigation (PSI) has been completed as a desktop-based assessment, supported by a site inspection. No intrusive sampling or laboratory analysis of soil, groundwater, or building materials was undertaken. The primary objective of this assessment was to provide a preliminary indication of potential contamination risks associated with the historical use of the site and the presence of fill materials, in the context of the proposed townhouse development.

The findings and conclusions presented in this report are based on:

- A review of available environmental, planning, and historical records.
- A site walkover to identify visible contamination indicators; and
- Professional interpretation using the Source–Pathway–Receptor (SPR) framework.

This report provides preliminary, non-quantitative advice regarding the potential contamination status of the site and its indicative suitability for the proposed sensitive land use. It does not constitute a Detailed Site Investigation (DSI), waste classification assessment, hazardous building materials survey, asbestos clearance, or resource recovery assessment. Accordingly, this report should not be used to support:

- Waste classification for disposal or reuse.
- Final design or construction decisions; or
- Clearance for site occupation by vulnerable populations (e.g. children).

Given the limitations of a desktop-only approach and the absence of analytical data, soil and groundwater conditions have not been confirmed and may vary significantly across the Site. Potential contamination sources, including but not limited to legacy fill, hazardous building materials, and industrial emissions, have not been fully characterised. As such, unassessed or residual risks may remain, including contaminants not visible or detectable through surface inspection.

Should you have any questions regarding the scope or limitations of this assessment, or if additional support is required to progress the investigation, please do not hesitate to contact us.

Yours faithfully

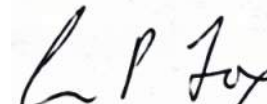
DRB CONSULTING ENGINEERS PTY LIMITED

Principal Author

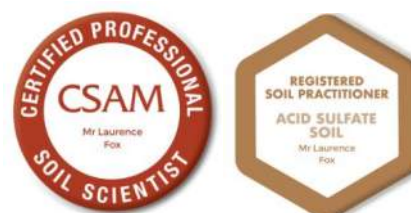


Paul Wright, PhD, CEnvP-SC
Principal Environmental Scientist, Contaminated
Land Management Lead

Reviewer



Laurence Fox
CPSS, CSAM, RSP



6 APPENDICES

APPENDIX A – FIGURES AND HISTORICAL AERIALS

Site Figures: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 1: Site Locality

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Site Address:	4 Fleet Street, Salamander Bay
Drawn By:	Paul Wright
Title:	Figure 2: Proposed Development Footprint

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 3: 1971 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 4: 1975 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 5: 1984 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 6: 1998 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 7: 2007 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 8: 2010 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 9: 2015 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 10: 2020 Aerial

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Site Address:	4 Fleet Street, Salamander Bay
Drawn By:	Paul Wright
Title:	Figure 11: 2021 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 12: 2022-03 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



⏮ ⏭
< Tue Dec 13 2022 >
⏴ Vertical ⏵

Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 13: 2022-12 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Mon Sep 25 2023
Vertical

Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 14: 2023-09 Aerial

Historical Aerials: 4 Fleet Street, Salamander Bay, NSW 2317



Thu Jul 24 2025
Vertical

Project Number: 254833
Report Date: 19/08/2025

Site Address: 4 Fleet Street, Salamander Bay
Drawn By: Paul Wright
Title: Figure 13: 2025-07 Aerial

APPENDIX B – SITE PHOTOS



Company: DRB Engineering
Contact: Paul Wright
Phone: 0439837115
Email: paul@drbengineering.com.au

Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(1)



Site Entrance (Fleet Street)

Created: Tue, 12/08/2025

Entrance to the property from Fleet Street.

(2)



Entrance to Property

Created: Tue, 12/08/2025

First row of dwellings along Anchor Street just north of Fleet Street.

(3)



Newer residences (Inlet Cres).

Created: Tue, 12/08/2025

Newer residences located southeast of the Site, east of Ridgeway Drive.



Company: DRB Engineering
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Phone: 0439837115
Email: paul@drbengineering.com.au

Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(4)



Downgradient View

Created: Tue, 12/08/2025

View towards the south from Ridgeway Drive. Site elevated to the north, with a relatively steep incline observed from south to north.

(5)



Upgradient View

Created: Tue, 12/08/2025

Increasing gradient up Ridgeway Drive to the NW.

(6)



Waste along Fenceline

Created: Tue, 12/08/2025

Wood pallet, metal waste collected along fenceline. NW of Site.

(7)



Concrete Hardstand

Created: Tue, 12/08/2025

Concrete hardstand entryway along NW fenceline. Small stockpile of asphalt and gravel (Asphaltic gravel) along fenceline.

(8)



Small Asphaltic Gravel Stockpile

Created: Tue, 12/08/2025

Small amount of Asphaltic gravel waste along NW fenceline entering the Site.

(9)



Fill Visible at Surface

Created: Tue, 12/08/2025

Significant amount of fill on the ground within the NW corner including angular gravels, large cobbles, roadbase, bricks along with glass and plastic.



Company: DRB Engineering
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Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(10)



Topography

Created: Tue, 12/08/2025

Viewing SE from the NNW corner of the Site there are significant undulations evident (currently in a depression and viewing upgradient). This photo taken in the NW corner along a fenceline (next photo)

(11)



Colourbond Fence

Created: Tue, 12/08/2025

Colourbond fence (new) running to the SE along the northern boundary.

(12)



Services along Northern Fenceline

Created: Tue, 12/08/2025

Services and survey markers along the Northern fenceline.

(13)



Fill Stockpile

Created: Tue, 12/08/2025

Large fill stockpile viewing south from the Northern fenceline.

(14)



Fill Stockpile

Created: Tue, 12/08/2025

Stockpile comprised of large rocks and boulders, smaller rocks and stones, fill gravels, soil.

(15)



Depression along Northern Boundary

Created: Tue, 12/08/2025

Viewing NE along the northern fenceline with a large fill stockpile evident to the right of the image. 6-7m high from current position.

(16)



Western Low Point

Created: Tue, 12/08/2025

Low point in the western corner of the Site.

(17)



Fill Gravel and Waste

Created: Tue, 12/08/2025

Fill in surface comprising angular gravels with waste evident along fenceline in the western corner.

(18)



Fenceline Waste

Created: Tue, 12/08/2025

Metal fencing, plastic fence footings, plastic, metal and wood

(19)



Topography

Created: Tue, 12/08/2025

Steep downgradient to the southwest of the Site.

(20)



Services Trenches

Created: Tue, 12/08/2025

Group of services to the west of the main building.

(21)



Fibre Board Sheeting

Created: Tue, 12/08/2025

Fibre board sheets identified to the west of main building



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Email: paul@drbengineering.com.au

Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(22)



Additional Cement Sheet

Created: Tue, 12/08/2025

Cement sheet probably from eave or near hot water plant on exterior wall.

(23)



Water Heater

Created: Tue, 12/08/2025

Water heater on building exterior

(24)



Water Heater

Created: Tue, 12/08/2025

Additional cement sheeting on water heater. Probably not asbestos given potential age.

(25)



Additional Fibre Board on Ground

Created: Tue, 12/08/2025

Additional fibre board material on ground.
Most likely from an eave.

(26)



Retaining Wall

Created: Tue, 12/08/2025

Retaining wall to the west of the Site

(27)



Building Condition

Created: Tue, 12/08/2025

Building materials deteriorating, particularly in the roof where insulation is visible. Building is mainly brick cladding with a wood framed roof with colouring sheeting.

(28)



Broken Fibre Board Eave

Created: Tue, 12/08/2025

Along the western portion of building

(29)



Fibre Board Material from Heater

Created: Tue, 12/08/2025

Quite weak and breaks like cardboard. Potentially not ACM, just fibre board.

(30)



Additional Waste

Created: Tue, 12/08/2025

North of the main building. Additional waste including broken porcelain toilets, metals, chairs, old microwave, fridge and assorted appliances.

(31)



Waste detail

Created: Tue, 12/08/2025

Waste materials identified north of the main building.

(32)



Northern portion of Main Building

Created: Tue, 12/08/2025

Main building in disrepair, broken windows doors etc.

(33)



Ground Floor Main Building

Created: Tue, 12/08/2025

Old refrigerator, couches, plastic chairs, old lighting fixtures.

(34)



Additional waste

Created: Tue, 12/08/2025

Additional solid wastes along NE corner of main building. Mattresses, plastic chairs, metal tables, wood pallets, broken glass bottles

(35)



Metal, Wood, Brick Construction

Created: Tue, 12/08/2025

Construction comprised of metal, wood and bricks.

(36)



Solid waste stockpile

Created: Tue, 12/08/2025

Stockpile of solid waste located in the northeastern corner of main building. Stockpile comprised of stoves, couches, microwaves, wood, linoleum tree branches.

(37)



Treated wood within stockpile

Created: Tue, 12/08/2025

Treated wood including logs, poles, pallets.

(38)



Southern extent of fill stockpile

Created: Tue, 12/08/2025

Stone stockpile, southern extent

(39)



Stockpile of gravelly fill

Created: Tue, 12/08/2025

Pink gravelly fill with asphalt chunks. Possibly old roadbase material.

(40)



Large asphalt chunks

Created: Tue, 12/08/2025

Asphaltic component of pink fill stockpile.

(41)



Asphaltic Gravel Pocket

Created: Tue, 12/08/2025

Large pocket of Asphaltic gravel adjoining pink fill stockpile.

(42)



Relatively new Asphalt Material

Created: Tue, 12/08/2025

Relatively recent asphalt material on eastern section of stockpile. Asphaltic smell is distinct and evident. Possibly from recent surfacing of Ridgeway Drive.

(43)



Viewing Southwest

Created: Tue, 12/08/2025

Viewing southwest towards the main building from the pink fill stockpile.

(44)



Old Jerrycan

Created: Tue, 12/08/2025

Old jerrycan used for fuel identified at base of large fill soil and rock stockpile. No smell evident.

(45)



Additional Large Fill Stockpile

Created: Tue, 12/08/2025

Additional fill stockpile identified east of the main residence. Comprised of earth and grass and large boulders.

(46)



Fill stockpile details

Created: Tue, 12/08/2025

Large rocks and earth.

(47)



Demolition Waste

Created: Tue, 12/08/2025

Demo waste to the east of the main residence.
Comprised of concrete slabs, tires, cardboard,
concrete lumps, glass, plastic, pipes.

(48)



Discarded Solid Waste

Created: Tue, 12/08/2025

Mattresses, washers, air conditioners, skip
bins.

(49)



Inside main building

Created: Tue, 12/08/2025

More of the same, old appliances, furniture, broken glass, old lights. No smells or evidence of ACM.

(50)



Gas bottle and parts storage

Created: Tue, 12/08/2025

Gas bottle in foreground and car parts and other wastes in shed/garage in the southwest corner of the main building.

(51)



Gyprock and Paint

Created: Tue, 12/08/2025

Building supplies and other wastes in shed/garage.



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Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(52)



Radios and Car Parts

Created: Tue, 12/08/2025

Old radios and car parts in shed.

(53)



Old radios

Created: Tue, 12/08/2025

More old radios.

(54)



Shed/Garage

Created: Tue, 12/08/2025

Containing waste materials on hardstand flooring. Old garage.

(55)



Viewing West

Created: Tue, 12/08/2025

Viewing west along southern side of main building.

(56)



Bricks and pavers

Created: Tue, 12/08/2025

Located along the southern side of building (southwestern corner). Also includes PVC, wood, geofabric.

(57)



Cabin

Created: Tue, 12/08/2025

Disused cabin in the southwest of Site. Colourbond roof, wood cladding, insulation visible in walls.



Company: DRB Engineering
Contact: Paul Wright
Phone: 0439837115
Email: paul@drbengineering.com.au

Title: 4 Fleet Street PSI
Created: Tue, 12/08/2025
No. Items: 60

(58)



Viewing to the SE

Created: Tue, 12/08/2025

Significantly upgradient +10 above ground level (Fleet Street).

(59)



Viewing South into Property

Created: Tue, 12/08/2025

Cabins to the SE and E old main residence and stockpiles to the west.

(60)



Main Parking

Created: Tue, 12/08/2025

Main parking and garbage bins to the SE of the Site.

APPENDIX C – DESKTOP DOCUMENTATION

GROUNDWATER WELL SEARCH

WaterNSW

Work Summary

GW055010

Licence: 20WA203851		Licence Status: CURRENT	
Authorised Purpose(s): DOMESTIC Intended Purpose(s): GENERAL USE			
Work Type: Spear			
Work Status: Supply Obtained			
Construct.Method:			
Owner Type: Private			
Commenced Date:		Final Depth: 7.60 m	
Completion Date:		Drilled Depth:	
Contractor Name: (None)			
Driller:			
Assistant Driller:			
Property: NOT KNOWN 160 Soldiers Point SALAMANDER BAY 2317 NSW		Standing Water Level (m):	
GWMA: 025		Salinity Description: Potable	
GW Zone:		Yield (L/s):	

Site Details

Site Chosen By:			
County		Parish	Cadastre
Form A: GLOUCESTER		TOMAREE	L121 DP27047 (125)
Licensed: GLOUCEST		TOMAREE	Whole Lot 121//27047
Region: 20 - Hunter		CMA Map: 9332-4S	
River Basin: 209 - KARUAH RIVER		Grid Zone:	
Area/District:		Scale:	
Elevation: 0.00 m (A.H.D.)		Northing: 6379703.000	
Elevation Source: (Unknown)		Easting: 413133.000	
		Latitude: 32°43'01.3"S	
		Longitude: 152°04'23.1"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	P.V.C.	0.00	0.00	40			

*** End of GW055010 ***

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.

WaterNSW

Work Summary

GW055188

Licence: 20BL119521		Licence Status: CONVERTED	
Authorised Purpose(s): DOMESTIC Intended Purpose(s): GENERAL USE			
Work Type: Spear			
Work Status:			
Construct.Method:			
Owner Type: Private			
Commenced Date:		Final Depth: 9.00 m	
Completion Date: 01/07/1981		Drilled Depth: 9.00 m	
Contractor Name: (None)			
Driller:			
Assistant Driller:			
Property: N/A 156 Soldiers Point Rd SALAMANDER BAY 2317 NSW,N/A NSW		Standing Water Level (m):	
GWMA: 025		Salinity Description:	
GW Zone:		Yield (L/s):	

Site Details

Site Chosen By:			
County		Parish	Cadastre
Form A: GLOUCESTER		TOMAREE	L119 (125)
Licensed: GLOUCEST		TOMAREE	Whole Lot 119//27047
Region: 20 - Hunter		CMA Map: 9332-4S	
River Basin: 209 - KARUAH RIVER		Grid Zone:	
Area/District:		Scale:	
Elevation: 0.00 m (A.H.D.)		Northing: 6379857.000	
Elevation Source: (Unknown)		Easting: 413184.000	
		Latitude: 32°42'56.3"S	
		Longitude: 152°04'25.1"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	P.V.C.	0.00	9.00	55			

Water Bearing Zones

From (m)	To (m)	Thickness (m)	WBZ Type	S.W.L. (m)	D.D.L. (m)	Yield (L/s)	Hole Depth (m)	Duration (hr)	Salinity (mg/L)
6.00	9.00	3.00	Unconsolidated	6.00					

Drillers Log

From (m)	To (m)	Thickness (m)	Drillers Description	Geological Material	Comments
0.00	2.50	2.50	Sand Minerals	Sand	

2.50	4.00	1.50	Sand Carbonaceous	Sand	
4.00	9.00	5.00	Sand Coarse Water Bearing	Sand	

*** End of GW055188 ***

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.

SECTION 10.7

CERTIFICATES

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

APPLICANT DETAILS:

**DR P Wright
260 Maitland Road
Mayfield 2304**

Reference: 254833

Issue Date: 12/08/2025

PROPERTY DESCRIPTION:

**20 Ridgeview Drive SALAMANDER BAY NSW 2317 Parcel No: 29588
LOT: 20 DP: 285191**

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 (Sustainable Building) 2022
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 4 Concurrences and consents

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

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

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 2 Vegetation in non-rural areas 2017

Chapter 4 Koala habitat protection 2021

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

Draft Development Control Plan 2025

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

2. Zoning and land use under relevant planning instruments

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

a) The identity of the zone –

R2 Low Density Residential

The land is zoned R2 Low Density Residential 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

Home occupations

ITEM 3 - May be carried out with development consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Multi-dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

ITEM 4 - Is prohibited

Any 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

No development standard that fixes a minimum land dimension for the erection of a dwelling-house applies to the land.

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

Draft Port Stephens Local Infrastructure Contributions Plan (Major Amendment)

(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 NOT be carried out on the land.

Inland Code

Complying development under the Inland Code MAY NOT be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land.

Agritourism and Farm Stay Accommodation code

Complying development under the Agritourism and Farm Stay Accommodation Code MAY NOT be carried out on the land.

Low Rise Housing Diversity Code

Complying development under the Low Rise Medium Density Housing Code MAY NOT be carried out on the land.

Greenfield Housing Code

Complying development under the Greenfield Housing Code MAY NOT be carried out on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY NOT be carried out on the land.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land.

Industrial and Business Alterations Code

Complying development under the Commercial and Industrial Alterations code MAY NOT be carried out on the land.

Industrial and Business Buildings Code

Complying development under the Commercial and Industrial (new buildings and additions) code MAY NOT be carried out on the land.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code MAY NOT be carried out on the land.

Subdivisions Code

Complying development under the Subdivision Code MAY NOT be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land.

Fire Safety Code

Complying development under the Fire Safety code MAY NOT be carried out on the land.

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

Council does not have sufficient information to ascertain the reason why complying development may not be carried out under the Policy. Contact Councils duty officer on

(02) 4988 0255 for any enquiries relating to the reason why complying development may not be carried out on the land.

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

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

5. Exempt development

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

Division 1 General Code

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

Division 2 Advertising and Signage Code

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

Division 3 Temporary Uses and Structures Code

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

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

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

6. Affected building notices and building product rectification orders

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

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

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

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

No

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

No

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

7. Land reserved for acquisition

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

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

8. Road widening and road realignment

Council's records indicate that the land the subject of this Certificate is not affected by any road widening or road realignment under:- (a) Section 25 of the Roads Act 1993; or (b) any environmental planning instrument; or (c) 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 any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk (other than flooding or bush fire).

Council HAS NOT adopted a policy or been notified of any adopted policy of another public authority, that restricts development on the land because of the likelihood of landslip, tidal inundation, subsidence, contamination, salinity, coastal hazards or sea level rise.

Council DOES HAVE adopted policies or has been notified of adopted policies of another public authority on matters relating to the risk of acid sulfate soils and aircraft noise.

The information below identifies any adopted policies that apply to the land:

Clause 7.1 Acid Sulfate Soils of the Port Stephens Local Environmental Plan 2013 applies to the land. Acid sulfate soil mapping can be viewed on the NSW Department of Planning, Housing and Infrastructure Spatial Viewer.

NOTE: The absence of a council policy restricting the development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

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 49880255.

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

Not applicable.

15. Property vegetation plans

If the land is land in relation to which a property vegetation plan is approved under Part 4 of the *Native Vegetation Act 2003*, 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 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 Biodiversity Conservation Trust.

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.

23. Water or sewerage services

If water or sewerage services are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

No, Council is not aware that water or sewerage services are, or are to be, provided under the *Water Industry Competition Act 2006*.

24. Special entertainment precincts

Whether the land or part of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

No, Council is not aware that any of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

Additional matters

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

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

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

PART B: INFORMATION PROVIDED UNDER SECTION 10.7(5)

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

Heritage

Port Stephens Council must take into consideration the likely effect of proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity. Please contact Council's Development Assessment and Compliance Section by telephoning 49880255.

Aboriginal Archaeology

When determining a development application on known or potential archaeological sites of both Aboriginal and non-Aboriginal heritage significance, Port Stephens Council must consider an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site. Please contact Council's Development Assessment and Compliance Section on 49880255 for more information.

Aircraft Noise

All areas of the Port Stephens Local Government area may be affected by aircraft noise from time to time. RAAF Base Williamtown – Newcastle Airport and Salt Ash Air Weapons Range are located within the Port Stephens Local Government Area. Further information can be obtained from the Commonwealth Department of Defence website and from the Port Stephens Council Strategy and Environment Section and you are advised to make further enquiries.

Koala Habitat

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

Invasive Species

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

Development consents relating to the land

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

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

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

APPLICANT DETAILS:

**DR P Wright
260 Maitland Road
Mayfield 2304**

Reference: 254833

Issue Date: 12/08/2025

PROPERTY DESCRIPTION:

**4 Fleet Street SALAMANDER BAY NSW 2317 Parcel No: 29599
LOT: 1 DP: 285191**

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 (Sustainable Building) 2022
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 4 Concurrences and consents

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

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

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 2 Vegetation in non-rural areas 2017

Chapter 4 Koala habitat protection 2021

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

Draft Development Control Plan 2025

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

2. Zoning and land use under relevant planning instruments

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

a) The identity of the zone –

R2 Low Density Residential

The land is zoned R2 Low Density Residential 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

Home occupations

ITEM 3 - May be carried out with development consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Multi-dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

ITEM 4 - Is prohibited

Any 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

No development standard that fixes a minimum land dimension for the erection of a dwelling-house applies to the land.

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

Draft Port Stephens Local Infrastructure Contributions Plan (Major Amendment)

(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 NOT be carried out on the land.

Inland Code

Complying development under the Inland Code MAY NOT be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land.

Agritourism and Farm Stay Accommodation code

Complying development under the Agritourism and Farm Stay Accommodation Code MAY NOT be carried out on the land.

Low Rise Housing Diversity Code

Complying development under the Low Rise Medium Density Housing Code MAY NOT be carried out on the land.

Greenfield Housing Code

Complying development under the Greenfield Housing Code MAY NOT be carried out on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY NOT be carried out on the land.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land.

Industrial and Business Alterations Code

Complying development under the Commercial and Industrial Alterations code MAY NOT be carried out on the land.

Industrial and Business Buildings Code

Complying development under the Commercial and Industrial (new buildings and additions) code MAY NOT be carried out on the land.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code MAY NOT be carried out on the land.

Subdivisions Code

Complying development under the Subdivision Code MAY NOT be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land.

Fire Safety Code

Complying development under the Fire Safety code MAY NOT be carried out on the land.

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

Council does not have sufficient information to ascertain the reason why complying development may not be carried out under the Policy. Contact Councils duty officer on

(02) 4988 0255 for any enquiries relating to the reason why complying development may not be carried out on the land.

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

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

5. Exempt development

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

Division 1 General Code

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

Division 2 Advertising and Signage Code

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

Division 3 Temporary Uses and Structures Code

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

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

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

6. Affected building notices and building product rectification orders

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

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

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

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

No

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

No

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

7. Land reserved for acquisition

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

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

8. Road widening and road realignment

Council's records indicate that the land the subject of this Certificate is not affected by any road widening or road realignment under:- (a) Section 25 of the Roads Act 1993; or (b) any environmental planning instrument; or (c) 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 any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk (other than flooding or bush fire).

Council HAS NOT adopted a policy or been notified of any adopted policy of another public authority, that restricts development on the land because of the likelihood of landslip, tidal inundation, subsidence, contamination, salinity, coastal hazards or sea level rise.

Council DOES HAVE adopted policies or has been notified of adopted policies of another public authority on matters relating to the risk of acid sulfate soils and aircraft noise.

The information below identifies any adopted policies that apply to the land:

Clause 7.1 Acid Sulfate Soils of the Port Stephens Local Environmental Plan 2013 applies to the land. Acid sulfate soil mapping can be viewed on the NSW Department of Planning, Housing and Infrastructure Spatial Viewer.

NOTE: The absence of a council policy restricting the development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

11. Bush fire prone land

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

Part 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 *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

Not applicable.

15. Property vegetation plans

If the land is land in relation to which a property vegetation plan is approved under Part 4 of the *Native Vegetation Act 2003*, 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* 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 Biodiversity Conservation Trust.

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.

23. Water or sewerage services

If water or sewerage services are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

No, Council is not aware that water or sewerage services are, or are to be, provided under the *Water Industry Competition Act 2006*.

24. Special entertainment precincts

Whether the land or part of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

No, Council is not aware that any of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

Additional matters

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

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

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

PART B: INFORMATION PROVIDED UNDER SECTION 10.7(5)

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

Heritage

Port Stephens Council must take into consideration the likely effect of proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity. Please contact Council's Development Assessment and Compliance Section by telephoning 49880255.

Aboriginal Archaeology

When determining a development application on known or potential archaeological sites of both Aboriginal and non-Aboriginal heritage significance, Port Stephens Council must consider an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site. Please contact Council's Development Assessment and Compliance Section on 49880255 for more information.

Aircraft Noise

All areas of the Port Stephens Local Government area may be affected by aircraft noise from time to time. RAAF Base Williamtown – Newcastle Airport and Salt Ash Air Weapons Range are located within the Port Stephens Local Government Area. Further information can be obtained from the Commonwealth Department of Defence website and from the Port Stephens Council Strategy and Environment Section and you are advised to make further enquiries.

Koala Habitat

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

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

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

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

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

APPLICANT DETAILS:

**DR P Wright
260 Maitland Road
Mayfield 2304**

Reference: 254833

Issue Date: 12/08/2025

PROPERTY DESCRIPTION:

**8 Anchor Cove SALAMANDER BAY NSW 2317 Parcel No: 30650
LOT: 33 DP: 285191**

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 (Sustainable Building) 2022
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 4 Concurrences and consents

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

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

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 2 Vegetation in non-rural areas 2017

Chapter 4 Koala habitat protection 2021

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

Draft Development Control Plan 2025

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

2. Zoning and land use under relevant planning instruments

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

a) The identity of the zone –

R2 Low Density Residential

The land is zoned R2 Low Density Residential 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

Home occupations

ITEM 3 - May be carried out with development consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Multi-dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

ITEM 4 - Is prohibited

Any 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

No development standard that fixes a minimum land dimension for the erection of a dwelling-house applies to the land.

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

Draft Port Stephens Local Infrastructure Contributions Plan (Major Amendment)

(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.

Agritourism and Farm Stay Accommodation code

Complying development under the Agritourism and Farm Stay Accommodation Code MAY be carried out on the land.

Low Rise Housing Diversity 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.

Industrial and Business Alterations Code

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

Industrial and Business Buildings Code

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

Container Recycling Facilities Code

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

Subdivisions Code

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

Demolition Code

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

Fire Safety Code

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

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

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

- (3) If the land is a lot to which the Housing Code, Rural Housing Code, Low Rise Medium Density Housing Code, Greenfield Housing Code, Housing Alterations Code, General Development Code, or Commercial and Industrial (New Buildings and Additions) Code (within the meaning of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* applies, complying development may be carried out on any part of the lot that is not affected by the provisions of clauses 1.17A(1)(c) to (e), (2), (3) or (4), 1.18(1)(c3) or 1.19 of that Policy.
- (4) There are no variations to the exempt development codes under clause 1.12 of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* in relation to the land.

5. Exempt development

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

Division 1 General Code

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

Division 2 Advertising and Signage Code

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

Division 3 Temporary Uses and Structures Code

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

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

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

6. Affected building notices and building product rectification orders

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

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

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

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

No

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

No

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

7. Land reserved for acquisition

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

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

8. Road widening and road realignment

Council's records indicate that the land the subject of this Certificate is not affected by any road widening or road realignment under:- (a) Section 25 of the Roads Act 1993; or (b) any environmental planning instrument; or (c) 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 any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk (other than flooding or bush fire).

Council HAS NOT adopted a policy or been notified of any adopted policy of another public authority, that restricts development on the land because of the likelihood of landslip, tidal inundation, subsidence, contamination, salinity, coastal hazards or sea level rise.

Council DOES HAVE adopted policies or has been notified of adopted policies of another public authority on matters relating to the risk of acid sulfate soils and aircraft noise.

The information below identifies any adopted policies that apply to the land:

Clause 7.1 Acid Sulfate Soils of the Port Stephens Local Environmental Plan 2013 applies to the land. Acid sulfate soil mapping can be viewed on the NSW Department of Planning, Housing and Infrastructure Spatial Viewer.

NOTE: The absence of a council policy restricting the development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

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 49880255.

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

Not applicable.

15. Property vegetation plans

If the land is land in relation to which a property vegetation plan is approved under Part 4 of the *Native Vegetation Act 2003*, 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 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 Biodiversity Conservation Trust.

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.

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Not applicable to the Port Stephens Local Government Area.

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23. Water or sewerage services

If water or sewerage services are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

No, Council is not aware that water or sewerage services are, or are to be, provided under the *Water Industry Competition Act 2006*.

24. Special entertainment precincts

Whether the land or part of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

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on behalf of **Tim Crosdale, General Manager**

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

APPLICANT DETAILS:

**DR P Wright
260 Maitland Road
Mayfield 2304**

Reference: 254833

Issue Date: 12/08/2025

PROPERTY DESCRIPTION:

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LOT: 2 DP: 791551**

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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 (Sustainable Building) 2022
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 4 Concurrences and consents

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

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

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 2 Vegetation in non-rural areas 2017

Chapter 4 Koala habitat protection 2021

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

Draft Development Control Plan 2025

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

2. Zoning and land use under relevant planning instruments

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

a) The identity of the zone –

R2 Low Density Residential

The land is zoned R2 Low Density Residential 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

Home occupations

ITEM 3 - May be carried out with development consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Multi-dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

ITEM 4 - Is prohibited

Any development not specified in item 2 or 3

a) The identity of the zone –

C2 Environmental Conservation

The land is zoned C2 Environmental Conservation 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

Bee keeping; Environmental protection works; Home occupations

ITEM 3 - May be carried out with development consent

Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Flood mitigation works; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Recreation areas; Research stations; Roads; Water recreation structures; Water supply systems

ITEM 4 - Is prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based; Warehouse or distribution centres; Water treatment facilities; 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

(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 NOT be carried out on the land.

Inland Code

Complying development under the Inland Code MAY NOT be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land.

Agritourism and Farm Stay Accommodation code

Complying development under the Agritourism and Farm Stay Accommodation Code MAY NOT be carried out on the land.

Low Rise Housing Diversity Code

Complying development under the Low Rise Medium Density Housing Code MAY NOT be carried out on the land.

Greenfield Housing Code

Complying development under the Greenfield Housing Code MAY NOT be carried out on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY NOT be carried out on the land.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land.

Industrial and Business Alterations Code

Complying development under the Commercial and Industrial Alterations code MAY NOT be carried out on the land.

Industrial and Business Buildings Code

Complying development under the Commercial and Industrial (new buildings and additions) code MAY NOT be carried out on the land.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code MAY NOT be carried out on the land.

Subdivisions Code

Complying development under the Subdivision Code MAY NOT be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land.

Fire Safety Code

Complying development under the Fire Safety code MAY NOT be carried out on the land.

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

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

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

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

5. Exempt development

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

Division 1 General Code

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

Division 2 Advertising and Signage Code

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

Division 3 Temporary Uses and Structures Code

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

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

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

6. Affected building notices and building product rectification orders

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

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

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

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

No

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

No

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

7. Land reserved for acquisition

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

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

8. Road widening and road realignment

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

9. Flood related development controls information

The land or part of the land is within the flood planning area and subject to flood related development controls. If you wish to apply for a Flood Certificate, please refer to Council's Flood Certificate Information on our website at www.portstephens.nsw.gov.au

The land or part of the land is between the flood planning area and the probable maximum flood and is subject to flood related development controls. If you wish to apply for a Flood Certificate, please refer to Council's Flood Certificate Information on our website at www.portstephens.nsw.gov.au

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

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

Council HAS NOT adopted a policy or been notified of any adopted policy of another public authority, that restricts development on the land because of the likelihood of landslip, tidal inundation, subsidence, contamination, salinity, coastal hazards or sea level rise.

Council DOES HAVE adopted policies or has been notified of adopted policies of another public authority on matters relating to the risk of acid sulfate soils and aircraft noise.

The information below identifies any adopted policies that apply to the land:

Clause 7.1 Acid Sulfate Soils of the Port Stephens Local Environmental Plan 2013 applies to the land. Acid sulfate soil mapping can be viewed on the NSW Department of Planning, Housing and Infrastructure Spatial Viewer.

NOTE: The absence of a council policy restricting the development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

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 49880255.

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 *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

Not applicable.

15. Property vegetation plans

If the land is land in relation to which a property vegetation plan is approved under Part 4 of the *Native Vegetation Act 2003*, 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 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 Biodiversity Conservation Trust.

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.

23. Water or sewerage services

If water or sewerage services are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

No, Council is not aware that water or sewerage services are, or are to be, provided under the *Water Industry Competition Act 2006*.

24. Special entertainment precincts

Whether the land or part of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

No, Council is not aware that any of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

Additional matters

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

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

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

PART B: INFORMATION PROVIDED UNDER SECTION 10.7(5)

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

Heritage

Port Stephens Council must take into consideration the likely effect of proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity. Please contact Council's Development Assessment and Compliance Section by telephoning 49880255.

Aboriginal Archaeology

When determining a development application on known or potential archaeological sites of both Aboriginal and non-Aboriginal heritage significance, Port Stephens Council must consider an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site. Please contact Council's Development Assessment and Compliance Section on 49880255 for more information.

Aircraft Noise

All areas of the Port Stephens Local Government area may be affected by aircraft noise from time to time. RAAF Base Williamtown – Newcastle Airport and Salt Ash Air Weapons Range are located within the Port Stephens Local Government Area. Further information can be obtained from the Commonwealth Department of Defence website and from the Port Stephens Council Strategy and Environment Section and you are advised to make further enquiries.

Koala Habitat

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

Invasive Species

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

Wetlands

The land or part thereof, is identified as containing a wetland in Port Stephens Local Environmental Plan 2013. The wetland is identified on the wetland map in Port Stephens Local Environmental Plan 2013 and Clause 7.9 of Local Environmental Plan 2013 and applied to the land.

Development consents relating to the land

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

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

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

APPLICANT DETAILS:

**DR P Wright
260 Maitland Road
Mayfield 2304**

Reference: 254833

Issue Date: 12/08/2025

PROPERTY DESCRIPTION:

**24 Ridgeview Drive SALAMANDER BAY NSW 2317 Parcel No: 29584
LOT: 15 DP: 285191**

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 (Sustainable Building) 2022
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 4 Concurrences and consents

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

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

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

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

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

State Environmental Planning Policy (Biodiversity and Conservation) 2021
Chapter 2 Vegetation in non-rural areas 2017

Chapter 4 Koala habitat protection 2021

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

Draft Development Control Plan 2025

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

2. Zoning and land use under relevant planning instruments

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

a) The identity of the zone –

R2 Low Density Residential

The land is zoned R2 Low Density Residential 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

Home occupations

ITEM 3 - May be carried out with development consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home-based child care; Home businesses; Home industries; Multi-dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture; Water reticulation systems

ITEM 4 - Is prohibited

Any 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

No development standard that fixes a minimum land dimension for the erection of a dwelling-house applies to the land.

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

Draft Port Stephens Local Infrastructure Contributions Plan (Major Amendment)

(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 NOT be carried out on the land.

Inland Code

Complying development under the Inland Code MAY NOT be carried out on the land.

Rural Housing Code

Complying development under the Rural Housing Code MAY NOT be carried out on the land.

Agritourism and Farm Stay Accommodation code

Complying development under the Agritourism and Farm Stay Accommodation Code MAY NOT be carried out on the land.

Low Rise Housing Diversity Code

Complying development under the Low Rise Medium Density Housing Code MAY NOT be carried out on the land.

Greenfield Housing Code

Complying development under the Greenfield Housing Code MAY NOT be carried out on the land.

Housing Alterations Code

Complying development under the Housing Alterations Code MAY NOT be carried out on the land.

General Development Code

Complying development under the General Development Code MAY NOT be carried out on the land.

Industrial and Business Alterations Code

Complying development under the Commercial and Industrial Alterations code MAY NOT be carried out on the land.

Industrial and Business Buildings Code

Complying development under the Commercial and Industrial (new buildings and additions) code MAY NOT be carried out on the land.

Container Recycling Facilities Code

Complying development under the Container Recycling Facilities Code MAY NOT be carried out on the land.

Subdivisions Code

Complying development under the Subdivision Code MAY NOT be carried out on the land.

Demolition Code

Complying development under the Demolition Code MAY NOT be carried out on the land.

Fire Safety Code

Complying development under the Fire Safety code MAY NOT be carried out on the land.

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

Council does not have sufficient information to ascertain the reason why complying development may not be carried out under the Policy. Contact Councils duty officer on

(02) 4988 0255 for any enquiries relating to the reason why complying development may not be carried out on the land.

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

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

5. Exempt development

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

Division 1 General Code

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

Division 2 Advertising and Signage Code

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

Division 3 Temporary Uses and Structures Code

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

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

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

6. Affected building notices and building product rectification orders

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

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

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

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

No

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

No

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

7. Land reserved for acquisition

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

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

8. Road widening and road realignment

Council's records indicate that the land the subject of this Certificate is not affected by any road widening or road realignment under:- (a) Section 25 of the Roads Act 1993; or (b) any environmental planning instrument; or (c) 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 any of the land is affected by an adopted policy that restricts the development of the land because of the likelihood of land slip, bush fire, tidal inundation, subsidence, acid sulfate soils, contamination, aircraft noise, salinity, coastal hazards, sea level rise or another risk (other than flooding or bush fire).

Council HAS NOT adopted a policy or been notified of any adopted policy of another public authority, that restricts development on the land because of the likelihood of landslip, tidal inundation, subsidence, contamination, salinity, coastal hazards or sea level rise.

Council DOES HAVE adopted policies or has been notified of adopted policies of another public authority on matters relating to the risk of acid sulfate soils and aircraft noise.

The information below identifies any adopted policies that apply to the land:

Clause 7.1 Acid Sulfate Soils of the Port Stephens Local Environmental Plan 2013 applies to the land. Acid sulfate soil mapping can be viewed on the NSW Department of Planning, Housing and Infrastructure Spatial Viewer.

NOTE: The absence of a council policy restricting the development of the land by reason of a particular natural hazard does not mean that the risk from that hazard is non-existent.

11. Bush fire prone land

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

Part 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

Not applicable.

15. Property vegetation plans

If the land is land in relation to which a property vegetation plan is approved under Part 4 of the *Native Vegetation Act 2003*, 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 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 Biodiversity Conservation Trust.

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.

23. Water or sewerage services

If water or sewerage services are, or are to be, provided to the land under the *Water Industry Competition Act 2006*.

No, Council is not aware that water or sewerage services are, or are to be, provided under the *Water Industry Competition Act 2006*.

24. Special entertainment precincts

Whether the land or part of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

No, Council is not aware that any of the land is in a special entertainment precinct within the meaning of the *Local Government Act 1993*, Section 208B.

Additional matters

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

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

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

PART B: INFORMATION PROVIDED UNDER SECTION 10.7(5)

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

Heritage

Port Stephens Council must take into consideration the likely effect of proposed development on the heritage significance of a heritage item, heritage conservation area, archaeological site or potential archaeological site, and on its setting, when determining an application for consent to carry out development on land in its vicinity. Please contact Council's Development Assessment and Compliance Section by telephoning 49880255.

Aboriginal Archaeology

When determining a development application on known or potential archaeological sites of both Aboriginal and non-Aboriginal heritage significance, Port Stephens Council must consider an assessment of how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site. Please contact Council's Development Assessment and Compliance Section on 49880255 for more information.

Aircraft Noise

All areas of the Port Stephens Local Government area may be affected by aircraft noise from time to time. RAAF Base Williamtown – Newcastle Airport and Salt Ash Air Weapons Range are located within the Port Stephens Local Government Area. Further information can be obtained from the Commonwealth Department of Defence website and from the Port Stephens Council Strategy and Environment Section and you are advised to make further enquiries.

Koala Habitat

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

Invasive Species

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

Development consents relating to the land

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

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

PROPERTY TITLE



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/285191

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
13/8/2024	12:58 PM	3	9/9/2022

LAND

THE NEIGHBOURHOOD PROPERTY WITHIN LOT 1 IN NEIGHBOURHOOD PLAN
DP285191

AT SALAMANDER BAY
LOCAL GOVERNMENT AREA PORT STEPHENS
PARISH OF TOMAREE COUNTY OF GLOUCESTER
TITLE DIAGRAM DP285191

FIRST SCHEDULE

NEIGHBOURHOOD ASSOCIATION DP285191

ADDRESS FOR SERVICE OF DOCUMENTS:

COLONIAL RIDGE RESORT
4 FLEET STREET
SALAMANDER BAY 2301

SECOND SCHEDULE (15 NOTIFICATIONS)

- 1 THIS NEIGHBOURHOOD SCHEME DOES NOT FORM PART OF A COMMUNITY
SCHEME
- 2 ATTENTION IS DIRECTED TO THE MANAGEMENT STATEMENT AND DEVELOPMENT
CONTRACT OF THE NEIGHBOURHOOD SCHEME FILED WITH THE
NEIGHBOURHOOD PLAN
AS161743 AMENDMENT TO MANAGEMENT STATEMENT. CONSOLIDATION
OF MANAGEMENT STATEMENT - SEE AS161743
- 3 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S) WITHIN THE
PART(S) SHOWN SO INDICATED IN THE TITLE DIAGRAM
- 4 DP839815 RIGHT OF WAY VARIABLE WIDTH APPURTENANT TO THE LAND
ABOVE DESCRIBED
- 5 DP839815 EASEMENT FOR SERVICES 1, 2 AND 3.3 WIDE AFFECTING
THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 6 DP839815 EASEMENT FOR WATER SUPPLY 2 AND 2.5 WIDE APPURTENANT
TO THE LAND ABOVE DESCRIBED
- 7 DP839815 EASEMENT TO GAS SERVICE OVER EXISTING LINE OF PIPES
AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE
DIAGRAM
- 8 DP839815 EASEMENT TO GAS SERVICE OVER EXISTING LINE OF PIPES
APPURTENANT TO THE LAND ABOVE DESCRIBED
- 9 DP839815 EASEMENT FOR GAS STORAGE TANK 2.1 WIDE AFFECTING THE
PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 10 DP839815 EASEMENT FOR TOWN WATER SUPPLY OVER EXISTING LINE OF
PIPES AFFECTING THE PART(S) SHOWN SO BURDENED IN THE

END OF PAGE 1 - CONTINUED OVER
PRINTED ON 13/8/2024

Perception Planning Pty Ltd

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/285191

PAGE 2

SECOND SCHEDULE (15 NOTIFICATIONS) (CONTINUED)

-
- | | |
|--------------|--|
| | TITLE DIAGRAM |
| 11 DP839815 | EASEMENT TO DRAIN SEWAGE OVER EXISTING LINE OF PIPES AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM |
| 12 DP285191 | RIGHT OF WAY VARIABLE WIDTH APPURTENANT TO THE LAND ABOVE DESCRIBED |
| 13 AK683393 | EASEMENT FOR BUSHFIRE HAZARD REDUCTION APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART DESIGNATED (A) IN PLAN WITH AK683393 |
| 14 AK683393 | EASEMENT FOR BUSHFIRE HAZARD REDUCTION APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PART DESIGNATED (B) IN PLAN WITH AK683393 |
| 15 DP1285707 | EASEMENT FOR ELECTRICITY AND OTHER PURPOSES 7.1 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1285707 |

NOTATIONS

DP285191 NOTE: DP285191 NEIGHBOURHOOD PLAN OF SUBDIVISION REGISTERED 11/1/1995.SUBDIVIDES LOTS 21-24 INTO LOTS 25-50

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Perception Planning Pty Ltd

PRINTED ON 13/8/2024

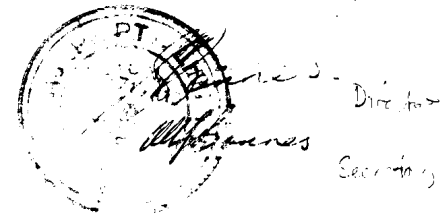
* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title.
Warning: the information appearing under notations has not been formally recorded in the Register.

DYE & DURHAM TERRAIN PTY LTD - hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with section 96B(2) of the Real Property Act 1900.

Note: Information contained in this document is provided by DYE & DURHAM TERRAIN PTY LTD (ABN 35 164 894 517), <https://dyedurhamterrain.com/> an approved NSW Information Broker

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SIGNATURE AND SEALS ONLY.



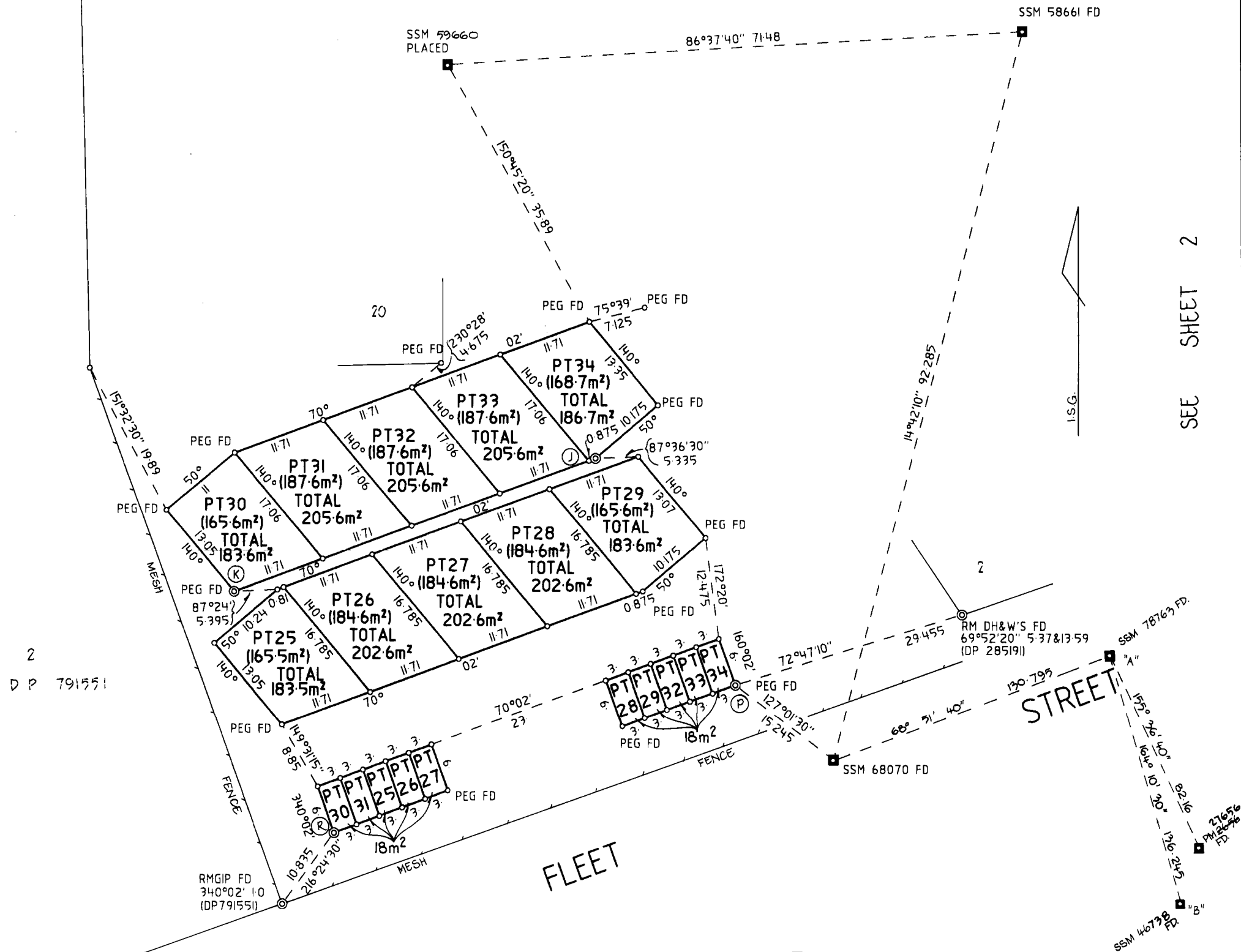
I.S.G. CO-ORDINATES				
MARK	EASTING	NORTHING	ADJ. N°	ACC.
PM 27636	213119.169	1378243.311	93080	2
SSM 46738	213122.395	1378187.061	88123	2
SSM 58661	NOT ESTABLISHED			
SSM 59660	NOT ESTABLISHED			
SSM 68070	NOT ESTABLISHED			
SSM 78763	213085.243	1378318.140	93080	2
SSM 88790	NOT ESTABLISHED			
SOURCE - I.S.G. CO-ORDINATES ADOPTED FROM SCIMS AT 1.9.1993			ZONE 56/2	

DETAIL PLAN (IN 2 SHEETS)

SEE

SHEET

7



DP 285191

ADDITIONAL SH.6

Registered: 11.1.1995

C.A: 94/202 OF 21.12.1994

Title System: TORRENS

Purpose: SUBDIVISION

Ref. Map: Z1072-1*

Last Plan: DP 285191

PLAN

NEIGHBOURHOOD PLAN OF
SUBDIVISION OF LOTS
21, 22, 23 & 24 IN
DP 285191

Lengths are in metres. Reduction Ratio 1:400

LGA PORT STEPHENS

Locality: SALAMANDER BAY

Parish: TOMAREE

County: GLOUCESTER

This is sheet 6 of my plan in 3 sheets.
(Delete if inapplicable).

I, R.K. MURTAGH of JOHN LOWE & ASSOCIATES, of
PO BOX 209, CARDIFF 2285

a surveyor registered under the Surveyors Act 1929, hereby certify
that the survey represented in this plan is accurate, has been made
in accordance with the Survey Practice Regulation 1990 and was
completed on 12 DECEMBER 1994

Signature: R.K. Murtagh
Surveyor registered under Surveyors Act, 1929.

AZIMUTH: SSM 78763 - SSM 46738

Plans used in preparation of survey/compilation.

DP 285191

PANEL FOR USE ONLY for statements of intention to
dedicate public roads, to create public reserves, drainage
reserves, easements, restrictions on the use of land or
positive covenants.

THIS IS SHEET 6 OF
DP 285191 AND IT REPLACES
SHEET 2 AS REGARDS LOTS
21 & 22 AND IS AN ADDITIONAL
SHEET.

Crown Lands Office Approval

PLAN APPROVED
Authorised Officer
Land District
Paper No. pages
Field Book

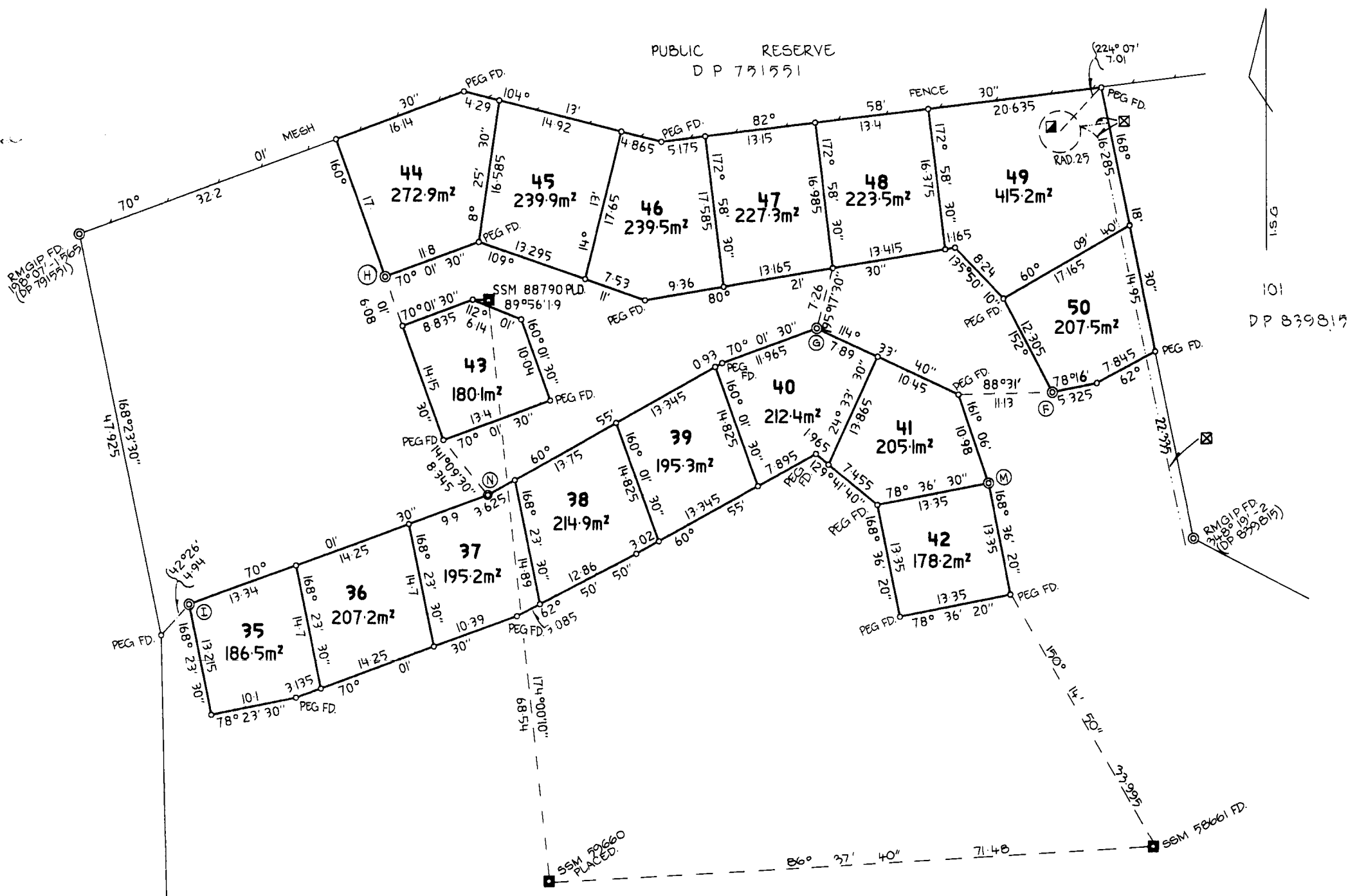
Council's Certificate

I hereby certify that -
(a) the requirements of the Local Government Act, 1919 (other than
the requirements for the registration of plans), and
(b) the requirements of Part 5 Division 2 of the Water Board Act 1987,
or Part 5 Division 7 of the Hunter Water Board (Corporatisation)
Act 1991.

I have been complied with by the applicant in relation to the
proposed subdivision.
(insert 'new road', 'subdivision' or 'consolidated lot' set out herein)
subdivision No. 94/202
date 21.12.94
signature: [Signature]
General Manager/Authorised Person
Council File No. M1522/94

This part of certificate to be deleted where the application is only for a
consolidated lot or the opening of a new road or where the land to be sub-
divided is wholly outside the areas of operations of the Water Board and the
Hunter Water Corporation Ltd.
Delete if inapplicable.

DETAIL PLAN (IN 2 SHEETS)



SEE SHEET 6

- : EASEMENT FOR SEWAGE PUMP VARIABLE WIDTH VIDE DP 839815.
- ⊠ : EASEMENT TO DRAIN SEWAGE OVER EXISTING LINE OF PIPES (APPROX. POSITION) VIDE DP 839815.

SCHEDULE OF REFERENCE MARKS		
Nº	DESCRIPTION	REFERENCE
F	GIP FD. DP 285191	80° 36' 0.865
G	GIP FD. DP 285191	198° 10' 0.9
H	GIP FD. DP 285191	343° 18' 0.965
I	GIP FD. DP 285191	198° 57' 1.01
M	DH & WIN KB FD. DP 285191	311° 28' 3.335
N	RMGIP	101° 16' 0.68

D P 285191
ADDITIONAL SH. 7
Registered: 11-1-1995
This is sheet 2 of my plan in 3 sheets dated
Surveyor registered under Surveyors Act 1929
This is sheet of the plan of sheets covered by my Certificate No. 94/202 of 21/12/94
Council Clerk

For use where space is insufficient in any panel on Plan Form 2.

THIS IS SHEET 7 OF DP 285191 AND IT REPLACES SHEET 2 AS REGARDS LOTS 23 & 24 AND IS AN ADDITIONAL SHEET.

Reduction Ratio 1: 400

Req:RP342979 /Doc:DP 0285191 P /Rev:12-Jan-1995 /Sts:OK.OK /Prt:29-Nov-2004 21:05 /Pgs:24
Ref:04/146 Salamander /Src:E

Req:RP342979 /Doc:DP 0285191 P /Rev:12-Jan-1995 /Sts:OK.OK /Prt:29-Nov-2004 21:05 /Pgs:24
Ref:04/146 Salamander /Src:E 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400

Director
Secretary

Secretary

INITIAL SCHEDULE OF UNIT ENTITLEMENT

LOT	UNIT ENTITLEMENT	SUBDIVISION
1	NEIGHBOURHOOD PROPERTY	
2	10	
3	10	
4	10	
5	10	
6	10	
7	10	
8	10	
9	10	
10	10	
11	10	
12	10	
13	10	
14	10	
15	10	
16	10	
17	10	
18	10	
19	15	
20	65	
21	SUBDIVIDED INTO LOTS 25,26,27,28 & 29	SEE SHEET 6
22	SUBDIVIDED INTO LOTS 30,31,32,33 & 34	SEE SHEET 6
23	SUBDIVIDED INTO LOTS 35,36,37,38,39,40,41 & 42	SEE SHEET 7
24	SUBDIVIDED INTO LOTS 43,44,45,46,47,48,49 & 50	SEE SHEET 7
25	10	
26	10	
27	10	
28	10	
29	10	
30	10	
31	10	
32	10	
33	10	
34	10	
35	10	
36	10	
37	10	
38	10	
39	10	
40	10	
41	10	
42	10	
43	10	
44	10	
45	10	
46	10	
47	10	
48	10	
49	10	
50	10	
TOTAL	510	

DP 285191

REPLACEMENT SH. 5A

Registered: 11-1-1995

This is sheet 3 of my plan in 3 sheets dated

RK

Surveyor registered under Surveyors Act 1929

This is sheet of the plan of sheets covered by my Certificate No. of 94/202 21/12/94

Council Clerk

For use where space is insufficient in any panel on Plan Form 2.

WARNING STATEMENT REGARDING THE INITIAL SCHEDULE OF UNIT ENTITLEMENTS

THIS SHEET SHOWS AN INITIAL SCHEDULE OF UNIT ENTITLEMENT FOR THE NEIGHBOURHOOD SCHEME WHICH IS LIABLE TO BE ALTERED AS THE SCHEME IS DEVELOPED OR ON COMPLETION OF THE SCHEME IN ACCORDANCE WITH THE PROVISIONS OF SECTION 30 OF THE COMMUNITY LAND DEVELOPMENT ACT 1989.

SUBSEQUENT CHANGES WILL BE RECORDED ON A REPLACEMENT SHEET OF THIS PLAN WHICH WILL BE NUMBERED SHEET 5b, 5c, 5d ETC. AS THE CIRCUMSTANCES REQUIRE.

UPDATE NOTE FOR SCHEDULE OF UNIT ENTITLEMENTS

THIS SHEET CONTAINS AN UP DATED SCHEDULE OF UNIT ENTITLEMENTS AND REPLACES SHEET 5 OF THE PLAN REGISTERED ON 13 OCTOBER 1993

I, RONALD K. MURTAGH BEING A SURVEYOR REGISTERED UNDER THE SURVEYORS ACT 1929, CERTIFY THAT NO VALUATION WAS MADE AND THAT THE UNIT ENTITLEMENTS ARE BASED UPON ESTIMATION OF THE RELATIVE VALUES OF THE LOTS.

RK

SIGNED 12 December 1994

Reduction Ratio 1:

NEIGHBOURHOOD PLAN

SHEET 1 OF 5 SHEETS

LOT No.	DETAILS	SHEET No.
21	SUBDIVIDED INTO LOTS 25-29	6
22	SUBDIVIDED INTO LOTS 30-34	6
23	SUBDIVIDED INTO LOTS 35-42	7
24	SUBDIVIDED INTO LOTS 43-50	7

SOLDIERS

Baines

SURVEYOR'S REFERENCE: N 12754

Req:RP342979 /Doc:DP 0285191 P /Rev:12-Jan-1995 /Sts:OK.OK /Prt:29-Nov-2004 21:05 /Pgs:24
Ref:04/146 Salamander /Src:E

SIGNATURES, SEALS AND STATEMENTS of Intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

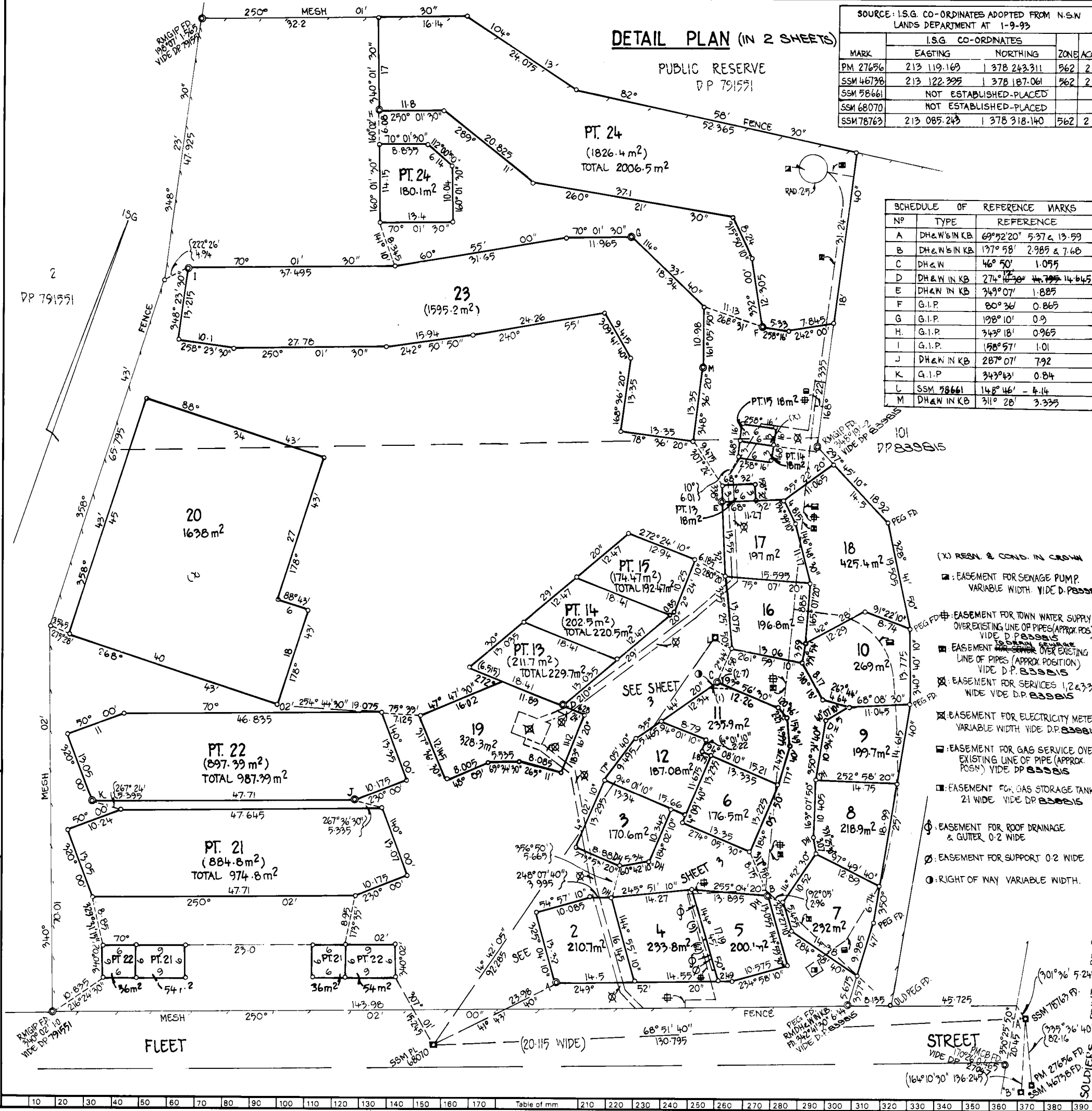
M. J. Barnes
Barnes

Westpac Banking Corporation as Mortgagee under Mortgage No. E224623 hereby consents to the plan plan
Signed for and on behalf of the time of his executing who hereby states at the time of his executing this instrument he has no notice of the revocation of the Power of Attorney registered No. 538 Book 4005 under the authority of which he has executed this instrument.
Westpac Banking Corporation
By its Attorney
ARNDT 10/15/141
by GABRIEL ARNDT, ATTORNEY
its duly constituted Attorney
in the presence of
JP
Assistant Registrar, Legal Sydney Office

Westpac Banking Corporation as Mortgagee under Mortgage No. E224623 hereby consents to the plan plan
Signed for and on behalf of the time of his executing who hereby states at the time of his executing this instrument he has no notice of the revocation of the Power of Attorney registered No. 538 Book 4005 under the authority of which he has executed this instrument.
Westpac Banking Corporation
By its Attorney
ARNDT 10/15/141
by GABRIEL ARNDT, ATTORNEY
its duly constituted Attorney
in the presence of
JP
Assistant Registrar, Legal Sydney Office

Crown Lands Office Approval
PL/ PROVED
Authorised Officer
and District
aper No.
ield Book pages

Council Clerk's Certificate
I hereby certify that -
(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and
(b) the requirements of Part 3 Division 2 of the Water Board Act 1982 or Part 5 Division 7 of the Hunter Water Board (Corporatisation) Act 1991.
We have been complied with by the applicant in relation to the proposed subdivision.
insert "new road", "subdivision" or "consolidated lot" set out herein
idivision No. 24/81
ite 23.5.94
ignature) [Signature]
Council Clerk
ouncil File No. 520/93
*This part of the certificate to be deleted where the application is for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter Water Corporation Ltd.
† Delete if inapplicable



STREET

- ⊕ EASEMENT FOR TOWN WATER SUPPLY OVER EXISTING LINE OF PIPES (APPROX POSITION) (DP 838815)
- ⊖ EASEMENT FOR ~~SEWER~~ OVER EXISTING LINE OF PIPES (APPROX. POSITION) (DP. 838815)
- EASEMENT FOR GAS SERVICE OVER EXISTING LINE OF PIPES (DP. 838815)
- ⊗ EASEMENT FOR SERVICES 1, 2 & 3-3 WIDE (DP. 838815)
- ⊠ EASEMENT FOR ELECTRICITY METER VARIABLE WIDTH (DP. 838815)

► SURVEYOR'S REFERENCE: N 12754

PLAN FORM 3 To be used in conjunction with Plan Form 2

Req:RP342979 /Doc:DP 0285191 P /Rev:12-Jan-1995 /Sts:OK.OK /Prt:29-Nov-2004 21:05 /Pgs:24

Ref:04/146 Salamander /Src:E

NEIGHBOURHOOD PROPERTY
NEIGHBOURHOOD PROPERTY LOT ONLY.

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PUBLIC RESERVE PP 791551

SOURCE: I.S.G. CO-ORDINATES ADOPTED FROM N.S.W. LANDS DEPARTMENT AT 1-9-93

MARK	I.S.G. CO-ORDINATES		ZONE	ACC
	EASTING	NORTHING		
PM 27636	213 119.169	1 378 243.311	362	2
SSM 46736	213 122.395	1 378 187.061	362	2
SSM 58661	NOT ESTABLISHED			
SSM 68070	NOT ESTABLISHED			
SSM 78763	213 085.243	1 378 318.140	362	2

SCHEDULE OF REFERENCE MARKS

NO	TYPE	REFERENCE
A	DH&N IN KB	69° 22' 20" 5.37 & 13.59
B	DH&N IN KB	137° 58' 2.985 & 7.68
C	DH&N	46° 50' 1.075
D	DH&N IN KB	274° 16' 30" 14.795
E	DH&N IN KB	349° 07' 1.885
F	G.I.P.	80° 36' 0.865
G	G.I.P.	198° 10' 0.9
H	G.I.P.	343° 18' 0.965
I	G.I.P.	158° 57' 1.01
J	DH&N IN KB	287° 07' 7.92
K	G.I.P.	343° 43' 0.84
L	SSM 58661	148° 46' - 4.14
M	DH&N IN KB	311° 28' 3.335

DP 285191

Registered: 1-6-1994

This is sheet 4 of my plan in 5 sheets dated 13TH OCTOBER 1993

R K M

Surveyor registered under Surveyors Act 1929

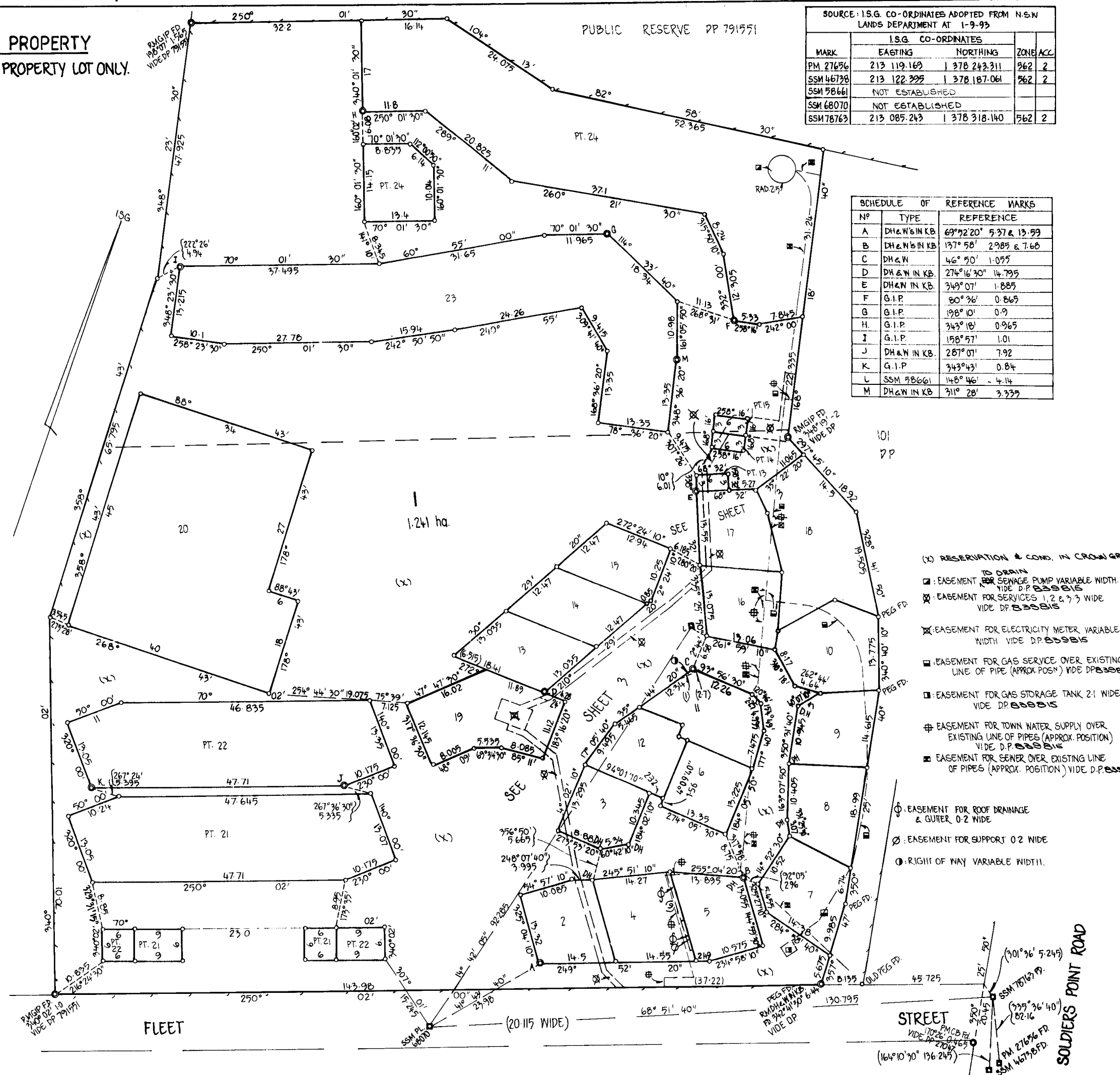
This is sheet of the plan of sheets covered by my Certificate No. 92/81 of 23.5.94

Council Clerk

For use where space is insufficient in any panel on Plan Form 2.

M of Bonner

83 Bonner



- (X) RESERVATION & COND. IN CROWN GRANT
- : EASEMENT TO DRAIN FOR SEWAGE PUMP VARIABLE WIDTH. VIDE D.P. 833815
 - ⊗ : EASEMENT FOR SERVICES 1, 2 & 3 WIDE VIDE D.P. 833815
 - ⊗ : EASEMENT FOR ELECTRICITY METER VARIABLE WIDTH VIDE D.P. 833815
 - : EASEMENT FOR GAS SERVICE OVER EXISTING LINE OF PIPE (APPROX. POS.) VIDE D.P. 833815
 - : EASEMENT FOR GAS STORAGE TANK 2.1 WIDE VIDE D.P. 833815
 - ⊕ : EASEMENT FOR TOWN WATER SUPPLY OVER EXISTING LINE OF PIPES (APPROX. POSITION) VIDE D.P. 833815
 - ⊗ : EASEMENT FOR SEWER OVER EXISTING LINE OF PIPES (APPROX. POSITION) VIDE D.P. 833815
 - ⊕ : EASEMENT FOR ROOF DRAINAGE & GUTTER 0.2 WIDE
 - ⊗ : EASEMENT FOR SUPPORT 0.2 WIDE
 - ⊙ : RIGHT OF WAY VARIABLE WIDTH.

Req:RP342979 /Doc:DP 0285191 P /Rev:12-Jan-1995 /Sts:OK.OK /Prt:29-Nov-2004 21:05 /Pgs:24
Ref:04/146 Salamander /Src:E

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HISTORICAL FILE

DP 285191

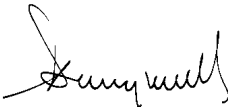
Registered:  1.6.1994

This is sheet 5 of my plan in 5 sheets
dated 13th OCTOBER 1993

RK 

Surveyor registered under Surveyors Act 1929

This is sheet of the plan of sheets covered by my Certificate No. 94/81
of 23.5.94



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THIS SHEET SHOWS AN INITIAL SCHEDULE OF UNIT ENTITLEMENT FOR THE NEIGHBOURHOOD SCHEME WHICH IS LIABLE TO BE ALTERED AS THE SCHEME IS DEVELOPED OR ON COMPLETION OF THE SCHEME. SUBSEQUENT CHANGES WILL BE RECORDED ON A REPLACEMENT SHEET OF THIS PLAN WHICH WILL BE NUMBERED 5A, 5B OR 5C ETC. AS THE CIRCUMSTANCES REQUIRE.

M J Barnes



I, RONALD K. MURTAGH OF JOHN LOWE & ASSOCIATES LTD. CARDIFF BEING A SURVEYOR REGISTERED UNDER THE SURVEYORS ACT 1929 CERTIFY THAT NO VALUATION WAS MADE AND THAT THE UNIT ENTITLEMENTS ARE BASED UPON ESTIMATION OF THE RELATIVE VALUES OF THE LOTS

RK 

13th OCTOBER 1993

Reduction Ratio 1:

SURVEYOR'S REFERENCE: N 12 794

INITIAL SCHEDULE OF UNIT ENTITLEMENT

LOT	UNIT ENTITLEMENT	SUBDIVISION
1	NEIGHBOURHOOD PROPERTY	
2	10	
3	10	
4	10	
5	10	
6	10	
7	10	
8	10	
9	10	
10	10	
11	10	
12	10	
13	10	
14	10	
15	10	
16	10	
17	10	
18	10	
19	15	
20	65	
21	50	
22	50	
23	80	
24	80	
TOTAL	510	

SEE NOW REPLACEMENT SHEET 5A

DP 285191

MANAGEMENT STATEMENT

MANAGEMENT STATEMENT

Sheet 1 of 44 sheets

Sheet 2 of 44 sheets

COLONIAL RIDGE RESORT
SALAMANDER BAY, NSW

NEIGHBOURHOOD
MANAGEMENT STATEMENT

BILBIE WHITFORD & DAN
Solicitors
Level 1, 57 Hunter Street
NEWCASTLE NSW 2300
DX 7816 NEWCASTLE
TEL: (049) 29 5511
FAX: (0490) 29 6309
REF: MH:2955JH

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INDEX

PART 1

BY-LAWS FIXING DETAILS OF DEVELOPMENT

BY-LAW 1:	ARCHITECTURAL GUIDELINES	5
BY-LAW 2:	AMENDING ARCHITECTURAL GUIDELINES	6
BY-LAW 3:	NEIGHBOURHOOD ASSOCIATION PROPERTY - [COMMON PROPERTY]	6
BY-LAW 4:	CONSTRUCTION ON ASSOCIATION PROPERTY	8
BY-LAW 5:	NO INAPPROPRIATE USE	9
BY-LAW 6:	APPEARANCE	9
BY-LAW 7:	MAINTENANCE OF IMPROVEMENTS	9
BY-LAW 8:	MAINTENANCE OF LANDSCAPED AREAS AND ASSOCIATION PROPERTY	10

PART 2

RESTRICTED NEIGHBOURHOOD PROPERTY

BY-LAW 9:	POOL AREA, GYMNASIUM, BAR-B-QUE AREA, SERVICES BUILDING, TENNIS COURT AREA, OPEN SPACE AREA - ASSOCIATION FACILITIES	10
BY-LAW 10:	RIGHTS OF DEVELOPER	10
BY-LAW 11:	CLAUSE 6 SCHEDULE 3	11

PART 3

MANDATORY MATTERS

BY-LAW 12:	ASSOCIATION PROPERTY	13
BY-LAW 13:	ACCESS WAYS	13
BY-LAW 14:	MAINTENANCE OF ASSOCIATION PROPERTY	13
BY-LAW 15:	CONTRIBUTIONS FOR MAINTENANCE OF ASSOCIATION PROPERTY	14
BY-LAW 16:	THE TENNIS COURT AREA	14
BY-LAW 17:	THE POOL AREA	14
BY-LAW 18:	GYMNASIUM	15
BY-LAW 19:	THE OPEN SPACE AREA	16
BY-LAW 20:	MANAGING, OPERATING AND MAINTAINING ASSOCIATION PROPERTY	16
BY-LAW 21:	INTERNAL FENCING	17
BY-LAW 22:	GARBAGE	17
BY-LAW 23:	SERVICES	17
BY-LAW 24:	INSURANCE	18

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1.6.1994

DP 285191

MANAGEMENT STATEMENT

MANAGEMENT STATEMENT

Sheet 3 of 44 sheets

Sheet 4 of 44 sheets

BY-LAW 25:	NEIGHBOURHOOD EXECUTIVE COMMITTEE PROCEEDINGS	19
------------	---	----

PART 4

OPTIONAL MATTERS

BY-LAW 26:	ROAD RULES	22
BY-LAW 27:	KEEPING OF ANIMALS	22
BY-LAW 28:	RESTRICTIONS ON PARKING	23
BY-LAW 29:	NEIGHBOURHOOD ASSOCIATION'S RIGHT TO ENTER INTO CONTRACTS	23
BY-LAW 30:	CONTROL OF OCCUPIERS	24
BY-LAW 31:	NEIGHBOURHOOD ASSOCIATION'S RIGHT TO REMEDY	24
BY-LAW 32:	DEBTS TO NEIGHBOURHOOD ASSOCIATION	24
BY-LAW 33:	NON-LIABILITY OF NEIGHBOURHOOD ASSOCIATION	24
BY-LAW 34:	INTEREST ON OVERDUE MONEY	24
BY-LAW 35:	RULES	24
BY-LAW 36:	COMPLIANCE AUTHORITIES REQUIREMENTS	24
BY-LAW 37:	PRIMA FACIE CERTIFICATE	25
BY-LAW 38:	COMMUNICATIONS	25
BY-LAW 39:	NEIGHBOURHOOD ASSOCIATION APPROVALS	25
BY-LAW 40:	BY-LAWS	25
BY-LAW 41:	REIMBURSEMENT OF THE COST, CHARGES AND EXPENSES	26
BY-LAW 42:	CONFERENCE CENTRE - RESTAURANT LOT	26
BY-LAW 43:	SERVICES AGREEMENT	27
BY-LAW 44:	TRADING ACTIVITIES	29

PART 5

BY-LAWS REQUIRED BY PUBLIC AUTHORITIES

BY-LAW 45:	RESORT CARETAKER'S RESIDENCE	30
BY-LAW 46:	RESORT CARETAKER'S RECORDS	30
BY-LAW 47:	NOTIFICATION TO COUNCIL	30
BY-LAW 48:	MAXIMUM OCCUPANCY	30
BY-LAW 49:	PROHIBITION OF USE	30
BY-LAW 50:	HUNTER WATER CORPORATION LIMITED	30
BY-LAW 51:	EXCLUSIVE LETTING RIGHTS	31

PART 6

DEFINITIONS, INTERPRETATION AND GENERAL

BY-LAW 52:	DEFINITIONS AND INTERPRETATION	33
		33

TERMS OF INSTRUMENT NOT CHECKED
IN LAND TITLES OFFICE

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1.6.1994

REGISTERED

1.6.1994

MANAGEMENT STATEMENT

Sheet 5 of 44 sheets

Form 30

COMMUNITY LAND DEVELOPMENT ACT 1989

COMMUNITY LAND MANAGEMENT ACT 1989

NEIGHBOURHOOD MANAGEMENT STATEMENT

Warning

The terms of this Management Statement are binding on the Neighbourhood Association and each person who is a proprietor, lessee, occupier and mortgagee in possession of a Neighbourhood Lot within the Neighbourhood Scheme.

PART 1

BY-LAWS FIXING DETAILS OF DEVELOPMENT

These By-Laws relate to the control and preservation of the essence or theme of the Neighbourhood Scheme and as such may only be amended or revoked by a unanimous resolution of the Neighbourhood Association see section 17(2) of the Community Land Management Act 1989.

These By-Laws may relate to the control or preservation of the essence or theme of the development under the Neighbourhood Scheme by specifying:

- (a) any provisions limiting occupants under the Neighbourhood Scheme to persons of a particular description; and
- (b) the architectural, building or landscaping styles to be permitted; and
- (c) the kind of materials that may be used in buildings and other structures; and
- (d) any provisions requiring the specified Neighbourhood Association Property used only for particular purposes; and

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DP 285191

MANAGEMENT STATEMENT

Sheet 7 of 44 sheets

Law 2.

2.6 The proprietors of Lots 19 and 20 must maintain Lots 19 and 20 to a reasonable standard and condition consistent with their proposed use and as a going concern.

2.7 No modification of improvements, alterations or additions or Landscape Modifications may commence or take place until the application made under By-Law 2.1 has been approved by the Executive Committee as to:

For Modifications to Improvements or Alterations to Improvements or Change in Colour Schemes:

- (a) suitability of design, colour and materials;
- (b) quality of design, colour and materials;
- (c) harmony of external design with existing structures;
- (d) location in surrounding structures; and
- (e) harmony with existing landscape; or

Landscape Modification:

- (a) suitability of design, colour, plant species and landscape materials and features;
- (b) quality of design, colour, plant species and landscape materials and features;
- (c) location in surrounding structures;
- (d) harmony with existing landscaping and structures; and
- (e) the removal of or dealing with existing plants, flowers, shrubs and trees.

2.8 The Executive Committee's approval or disapproval of a By-Law 2.1 application must be made solely on the matters set out in:

- (a) the By-Laws;
- (b) the Architectural Guidelines in force at the time of its decision.

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1.6.1994

DP 285191

MANAGEMENT STATEMENT

Sheet 6 of 44 sheets

(e) any other kind of restrictions.

BY-LAW 1: ARCHITECTURAL GUIDELINES

1.1 The Architectural Guidelines form part of this Management Statement.

1.2 The Architectural Guidelines bind:

- (a) each proprietor or occupier of a Lot other than the proprietors and occupiers of Lots 19 and 20;
- (b) each mortgagee in possession of a Lot other than a mortgagee in possession of Lots 19 and 20; and
- (c) each lessee of a Lot other than a lessee of Lots 19 and 20.

BY-LAW 2: AMENDING ARCHITECTURAL GUIDELINES

2.1 Any Proprietor of a Lot may make application to the Executive Committee of the Neighbourhood Association requesting additions or alterations to the Architectural Guidelines applying to that Proprietor's Lot. In particular the Proprietors of all Lots must not erect any building or structure on any Lot without the consent of the Executive Committee in accordance with this By-law 2.

2.2 The Neighbourhood Association may amend or add to the Architectural Guidelines.

2.3 Any application made under By-Law 2.1 must contain sufficient details of the proposed additions or alterations to enable the Executive Committee to understand with reasonable certainty the nature and extent of the additions and alterations.

2.4 The Executive Committee must, within two months after it has received all information required by it to make a decision, deliver to the proprietor making the application, a written decision.

2.5 Excepting the proprietors of Lots 19 and 20, all proprietors of the Neighbourhood Association must maintain the improvements on their respective Lots to a standard acceptable by the Executive Committee and all proprietors of the Neighbourhood Association must ensure that they do not change the colour scheme of any improvements on each respective Lot without the consent of the Executive Committee in accordance with this By-law 2.

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DP 285191

MANAGEMENT STATEMENT

Sheet 8 of 44 sheets

2.9 The Executive Committee in order to make a decision whether to approve any By-Law 2.1 application for any modification, alteration or Landscape Modification may request additional information, facts or material.

2.10 The Executive Committee may impose conditions on its approval of the By-Law 2.1 application.

2.11 The Executive Committee must within 40 days after it has received all information required by it to make a decision, deliver to the applicant its written decision.

2.12 A By-Law 2.1 application will be deemed to be approved within 40 days after the Executive Committee has received such application, unless the Executive Committee has provided a written disapproval to the applicant lot owner or alternatively, if further information has been requested by the Executive Committee under By-Law 2.9, then approval will be deemed after 40 days from the receipt by the Executive Committee of the additional information.

2.13 A decision made by the Executive Committee is binding on the applicant proprietor.

2.14 Decisions arising at a meeting of the Executive Committee are to be made by a majority of votes of members present and voting at the meeting at which a quorum is present.

2.15 No member of the Executive Committee will be liable for any loss of damage occurring by reason of an act done in his or her capacity as a member of the Executive Committee except for negligence on the part of that member.

BY-LAW 3: NEIGHBOURHOOD ASSOCIATION PROPERTY - [COMMON PROPERTY]

3.1 A proprietor or occupier of a Lot must not except with the approval of the Neighbourhood Association leave anything on or obstruct the use of the Association Property.

3.2 A proprietor or occupier of a Lot must not damage Association Property including without limitation, any paved area, walkway, landscape feature, lawn, garden, tree, shrub, plant or flower or any improvements which form part of or are situated on Association Property.

3.3 A proprietor or occupier of a Lot must give notice to the relevant

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MANAGEMENT STATEMENT

Sheet 9 of 44 sheets
Association of any damage or defect to Association Property of which a proprietor or occupier becomes aware.

- 3.4 A proprietor or occupier of a Lot must not, except with the approval of the Neighbourhood Association or in accordance with the By-Laws, use for that proprietor or occupier's own purposes any part of Association Property.

BY-LAW 4: CONSTRUCTION ON ASSOCIATION PROPERTY

The proprietor or occupier of a Lot must not except with the approval of the Neighbourhood Association:

- (a) construct any building or other structure including without limitation any fence, screen, pergola or awning on Association Property;
- (b) attach any item as a fixture or otherwise to Association Property; or
- (c) alter Association Property.

BY-LAW 5: NO INAPPROPRIATE USE

The proprietor or occupier of a Lot must not use anything on the Association Property for any purpose other than that for which it was constructed or provided.

BY-LAW 6: APPEARANCE

The proprietor or occupier of a Lot must not, except with the approval of the Neighbourhood Association, construct, install or maintain on or in a Lot anything which can be seen from outside the Lot and which in the reasonable opinion of the Neighbourhood Association is not in keeping with the building on or the landscaped areas of the Lot.

BY-LAW 7: MAINTENANCE OF IMPROVEMENTS

- 7.1 The proprietor or occupier of a Lot must keep the Lot including, without limitation, the exterior of any building on the Lot, clean and tidy and in good repair and condition.

- 7.2 Excepting Lots 19 and 20, the proprietor or occupier of a Lot must carry out all maintenance and repairs to the exterior of any improvements on the Lot in a proper and workmanlike manner to the reasonable satisfaction of the Neighbourhood Association in accordance with the Architectural Guidelines and, without limitation, with materials of the same or similar quality and colour as those used in the construction of the improvements existing on

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1.6.1994

MANAGEMENT STATEMENT

Sheet 11 of 44 sheets

- (a) any form of demolition work, building work, excavation and any work ancillary to or associated with the building work of the Association Facilities on the Association Property, including without limitation any installation of Services; and

- (b) any form of landscaping work or work ancillary to or associated with the landscaping work on the Association Property.

- 9.2 The proprietor of Lots 19 and 20 will have exclusive use of those parts of the Association Facilities which comprise the Pool Area, the Tennis Court Area, Gymnasium and Bar-B-Que Area for the term of this By-Law.

- 9.3 The proprietor of Lot 20 will have the right to carry out development work and construction on the Open Space Area for the purpose of developing the Open Space Area in accordance with the theme of the development as determined by the Proprietor of Lot 20 and the rights of the proprietor of Lot 20 specified in By-Law 10 also applies to the development of the Open Space Area. This right is not exclusive and is not intended to restrict the rights of occupiers and proprietors of Lots to use and enjoy the Open Space Area provided that such use and enjoyment does not interfere with the rights of the proprietor of Lot 20 under this By-Law.

- 9.4 The rights of the proprietor of Lot 20 under By-Laws 9.2 and 9.3 will not relieve the Neighbourhood Association of its rights to maintain the Association Facilities affected by By-Laws 9.2 and 9.3.

- 9.5 Restricted use of the Pool Area, the Tennis Court Area, the Gymnasium, the Bar-B-Que Area and the Open Space Area will cease when the proprietor of Lot 20 serves on the Neighbourhood Association a notice informing the Neighbourhood Association that construction of all or part of the Association Facilities has been completed.

- 9.6 Clause 6 of Schedule 3 of the Development Act apply and forms part of this By-Law unless the context indicates to the contrary.

- 9.7 The Resort Caretaker will have exclusive use of the Services Building to carry out his/her duties under the Services Agreement, which will cease upon the expiration or termination of any Services Agreement which regulates the rights of the Resort Caretaker.

BY-LAW 10: RIGHTS OF DEVELOPER

- 10.1 The proprietor of Lot 20 and all persons authorised by it will have the following rights in order that it can carry out certain development activities

REGISTERED

1.6.1994

MANAGEMENT STATEMENT

Sheet 10 of 44 sheets

- 7.3 The proprietors or occupiers of Lots 19 and 20 must carry out all maintenance and repairs to the exterior of the improvements on Lots 19 and 20 in a proper and workmanlike manner and without limitation, with materials of the same or similar quality and colour as those used in the construction of the improvements existing on Lots 19 and 20.

- 7.4 The Neighbourhood Association may give a notice to any proprietor or occupier of a Lot requiring him/her to comply with the terms of this By-Law.

BY-LAW 8: MAINTENANCE OF LANDSCAPED AREAS AND ASSOCIATION PROPERTY

The proprietor or occupier of a Lot must:

- (a) keep the landscaped areas of the Lot clean and tidy and in good repair and condition; and
- (b) carry out all maintenance to landscaped areas of the Lot in a proper and workmanlike manner to the reasonable satisfaction of the Neighbourhood Association; and
- (c) Keep the Association Property clean, tidy and free of litter.

PART 2

RESTRICTED NEIGHBOURHOOD PROPERTY

These By-Laws may not be amended during the initial period, and may only be amended after the expiry of the initial period by special resolution and with the written consent of each person entitled by the By-Law to use the restricted neighbourhood property (see section 54 Community Land Management Act 1989).

BY-LAW 9: POOL AREA, GYMNASIUM, BAR-B-QUE AREA, SERVICES BUILDING, TENNIS COURT AREA, OPEN SPACE AREA - ASSOCIATION FACILITIES

- 9.1 Use of the Association Facilities as shown on the Concept Plan, is restricted under this By-Law for the purposes of construction of the Association Facilities and the carrying out of certain activities for the development of the Association Facilities including without limitation:

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1.6.1994

MANAGEMENT STATEMENT

Sheet 12 of 44 sheets

for the purposes of enabling the proprietor to complete the construction of the Services and Associated Facilities on the Association Property:

- (a) Access - complete and unrestricted access by foot or motor vehicle over the Association Property;

- (b) Parking - the right to park motor vehicles and equipment on Association Property;

- (c) Connect Services - the right to connect Services within Association Property;

- (d) Auction Sales - the right to conduct the marketing and sale of Lots on Association Property;

- (e) Temporary Facilities - the right to attach or erect on Association Property temporary offices, sheds, depots, building materials, crane and other equipment;

- (f) Services - the right to install services on Association Property;

- (g) Signs - the right to attach and place for sale, auction, letting signs, notices, banners, placards or advertisements on Association Property.

- 10.2 Clause 6 of Schedule 3 of the Development Act apply to and form part of this By-Law.

BY-LAW 11: CLAUSE 6 SCHEDULE 3

- 11.1 Clause 6 Schedule 3 of the Development Act apply to and form part of the By-Laws 9 and 10 unless the context indicates to the contrary.

- 11.2 The conditions relating to the use of the Association Property under By-Laws 9 and 10 are:

- (a) all damage or interference with the Association Property must be made good at the expense of the proprietor of Lot 20 as soon as possible after that damage or interference occurs;

- (b) interference with the use or enjoyment by proprietors or occupiers of Lots must, so far as is consistent with the carrying out of the development of the Association Facilities and Services, be kept to a minimum; and

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MANAGEMENT STATEMENT

Sheet 13 of 44 sheets

- (c) on completion from time to time of the Association Facilities and the Services, the Association Property must be left in a clean and tidy condition.

11.3 The restricted use rights applying to the proprietor of Lot 20 under this By-Law may be exercised between the hours of 7.00 am and 7.00 pm on Monday to Saturday inclusive, excepting Sundays, Christmas Days and Good Fridays.

11.4 Subject to the obligations imposed under By-Law 11.3 the Neighbourhood Association must maintain the Association Property referred to in this By-Law.

11.5 The Neighbourhood Association must levy a contribution on its members for any costs associated with maintaining the Association Property referred to in this By-Law unless that cost is payable by the proprietor of Lot 20 under By-Law 11.2.

PART 3

MANDATORY MATTERS

BY-LAW 12: ASSOCIATION PROPERTY

12.1 The Association Property comprises:

- (a) the Private Access Way;
(b) the Pool Area and fencing around the Pool;
(c) the Tennis Court Area;
(d) the Gymnasium;
(e) the Bar-B-Que Area; and
(f) the Services Building.

BY-LAW 13: ACCESS WAYS

13.1 Part of the Association Property has been set apart as a Private Access Way.

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DP 285191

MANAGEMENT STATEMENT

Sheet 15 of 44 sheets

or implied of a proprietor or occupier of a Lot.

16.3 The following conditions apply to the use of the Tennis Court Area:

- (a) the use and play on the Tennis Court Area is subject to the control of the Resort Caretaker;
(b) all bookings of the Tennis Court Area must be made through the Resort Caretaker;
(c) all players must be appropriately attired and wear rubber (non-black) soled tennis shoes;
(d) all players and spectators must conduct themselves in a manner so as not to disturb other players, spectators and proprietors of Lots within the Neighbourhood Scheme;
(e) the Tennis Court Area must not be used between 10.00 pm and 7.00 am; and
(f) all children under the age of 12 years using the Tennis Court Area, must be in the custody and supervision of an adult over 18 years of age.

BY-LAW 17: THE POOL AREA

17.1 The rights conferred and the obligations imposed by this By-Law commence when the restricted use rights conferred by By-Law 9 and 10 cease.

17.2 The Pool Area is available for use by:

- (a) the proprietors and occupiers of Lots; and
(b) any person on the Association Property with the consent express or implied of a proprietor or occupier of a Lot.

17.3 The following conditions apply to the use of the Pool Area:

- (a) the use of the Pool Area is subject to the control of the Resort Caretaker;
(b) the Pool Area must not be used between the hours of 10.00 pm and 6.00 am and the Resort Caretaker may determine that the Pool Area be temporarily locked and access prevented for

REGISTERED

1.6.1994

MANAGEMENT STATEMENT

Sheet 14 of 44 sheets

13.2 The Neighbourhood Association is responsible for the control, management, use and maintenance of the Private Access Way and the street lighting for the Private Access Way.

13.3 There are no open access ways within the Neighbourhood Scheme.

BY-LAW 14: MAINTENANCE OF ASSOCIATION PROPERTY

The Neighbourhood Association is responsible for the control, management, operation, maintenance and repair of the Association Property. The Neighbourhood Association must impose contributions on the proprietors of all Lots for the cost of the control, management, operation, maintenance and repair of the Association Property.

BY-LAW 15: CONTRIBUTIONS FOR MAINTENANCE OF ASSOCIATION PROPERTY

15.1 The Neighbourhood Association must impose contributions on the proprietors of all Lots for the cost of the control, management, operation, maintenance and repair of the Association Property.

15.2 The contribution required to be paid under the By-Law or agreement to the Neighbourhood Association by the proprietor of a Lot is the amount X in the following formula:

$$X = \frac{A \times B}{C} \text{ where:}$$

A = the total amount to be raised by the contribution;

B = the unit entitlement for the proprietor's Lot; and

C = the aggregate of the unit entitlements for each Lot in the Neighbourhood Scheme.

BY-LAW 16: THE TENNIS COURT AREA

16.1 The rights conferred and the obligations imposed by this By-Law commence when the restricted use rights conferred by By-Law 9 and 10 cease.

16.2 The Tennis Court Area is available for use and hire by:

- (a) the proprietors and occupiers of the Lots; and
(b) any person on the Association Property with the consent express

REGISTERED

1.6.1994

DP 285191

MANAGEMENT STATEMENT

Sheet 16 of 44 sheets

purposes of maintenance, service and repair of the Pool Area;

(c) all people using the Pool Area must conduct themselves in a manner so as not to disturb other people using the Pool Area as well as occupiers and proprietors of Lots within the Neighbourhood Scheme;

(d) no alcoholic beverages are permitted to be taken to or consumed in or around the Pool Area;

(e) all glass containers or receptacles of any type are not to be taken to or allowed to remain in or around the Pool Area; and

(f) all children under the age of 12 years using the Pool Area, must be in the custody and supervision of an adult over 18 years of age.

BY-LAW 18: GYMNASIUM

18.1 The rights conferred and the obligations imposed by this By-Law commence when the restricted use rights conferred by-Law 9 and 10 cease.

18.2 The Gymnasium is available for use and hire by:

- (a) the proprietors and occupiers of Lots; and
(b) a person on the Association Property with the consent express or implied of a proprietor or occupier of a Lot.

18.3 The following conditions apply to the use of the Gymnasium:

(a) the use and play in the Gymnasium is subject to the control of the Resort Caretaker;

(b) all people using the Gymnasium must conduct themselves in a manner so as not to disturb other players and spectators and proprietors and occupiers of Lots within the Neighbourhood Scheme; and

(f) all children under the age of 12 years using the Gymnasium, must be in the custody and supervision of an adult over 18 years of age.

BY-LAW 19: THE OPEN SPACE AREA

REGISTERED

1.6.1994

MANAGEMENT STATEMENT

Sheet 17 of 44 sheets

- 19.1 The rights conferred and the obligations imposed by this By-Law commence when the restricted use rights conferred by-Law 9 and 10 cease.
- 19.2 The Open Space Area is available for use by occupiers and proprietors of Lots and a person on Association Property with the consent express or implied of a proprietor or occupier of a Lot.
- 19.3 The Neighbourhood Association is responsible for control, management, maintenance and repair of the Open Space Area.

BY-LAW 20: MANAGING, OPERATING AND MAINTAINING ASSOCIATION PROPERTY

The Neighbourhood Association may contract with persons to provide management, operation, maintenance and other services in connection with the Association Property.

BY-LAW 21: INTERNAL FENCING

- 21.1 All internal fencing on Association Property must be maintained, repaired and controlled by the Neighbourhood Association including without limitation fencing around the Pool Area and the fencing around the external perimeter of the Neighbourhood Scheme.

- 21.2 There are no fences between adjoining Lots.

BY-LAW 22: GARBAGE

- 22.1 Lot 20 must remove all trade wastes and garbage on a regular basis at the expense of that Lot and store all trade wastes and garbage in receptacles and ensure that all trade wastes and garbage are stored so as to be hidden from view from outside those Lots.

- 22.2 All other Lots within the Neighbourhood Scheme must store their garbage in containers approved by the Executive Committee in such areas on each Lot as notified from time to time by the Executive Committee and kept secure and hidden from view from outside the Lot until collection in accordance with garbage collection services provided to the Neighbourhood Association.

- 22.3 The Neighbourhood Association may from time to time regulate the procedures for garbage collection in accordance with requirements of garbage contractors or the Council.

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DP 285191

MANAGEMENT STATEMENT

Sheet 19 of 44 sheets

- (ii) a new risk
to Association Property.

- 24.4 A proprietor or occupier of a Lot must not, except with the approval of the Neighbourhood Association, do anything that might:

- (a) void or prejudice insurance effected by the Neighbourhood Association; or
(b) increase any insurance premium payable by the Neighbourhood Association.

BY-LAW 25: NEIGHBOURHOOD EXECUTIVE COMMITTEE PROCEEDINGS

- 25.1 The Executive Committee of the Neighbourhood Association must be established in accordance with Division 2 of Part 2 of the Management Act.

- 25.2 The Executive Committee must affix a noticeboard to some prominent part of the Association Property.

- 25.3 The Executive Committee may, subject to anything contrary in this By-Law, meet together for the conduct of business, adjourn and otherwise regulate its meetings as it thinks fit.

- 25.4 The secretary or the member of the Executive Committee who convenes a meeting must, for not less than 24 hours immediately before the Executive Committee holds a meeting, display on the noticeboard:

- (a) the notice of intention to hold the meeting; and
(b) the proposed agenda for the meeting.

- 25.5 The agenda for a meeting must include details of all business to be heard at the meeting.

- 25.6 No other business will be dealt with other than what is set out on the agenda for the meeting.

- 25.7 Meetings must be held within the Neighbourhood Scheme.

- 25.8 The secretary or in his/her absence any member of the Executive Committee must, at the request of not less than one-third of the members of the Executive Committee, convene a meeting within the period of time

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DP 285191

MANAGEMENT STATEMENT

Sheet 18 of 44 sheets

BY-LAW 23: SERVICES

- 23.1 Water, sewerage, electricity and telephone services are to be supplied to the Neighbourhood Scheme by the Service Providers through Service Lines.
- 23.2 Maintenance of the Services on each Lot is the responsibility of the proprietor of each Lot.
- 23.3 Maintenance of the Services located on Association Property is the responsibility of the Neighbourhood Association.

- 23.4 Maintenance of all fire fighting equipment located on Association Property must be maintained and repaired at the cost of the Neighbourhood Association.

BY-LAW 24: INSURANCE

- 24.1 The Neighbourhood Association must review, on an annual basis:

- (a) all insurances effected by it; and
(b) the need for new or additional insurances.

- 24.2 Notice of an Annual General Meeting must:

- (a) include a form of motion to decide whether insurances effected by the Neighbourhood Association should be confirmed, varied or extended; and
(b) for every alternate Annual General Meeting be accompanied by a written valuation of all buildings, structures and other improvements on Association Property (if any) made by a qualified valuer.

- 24.3 The Neighbourhood Association must immediately:

- (a) effect new insurances; or
(b) vary or extend existing insurances
if
(i) there is an increase in risk; or

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REGISTERED 1.6.1994

DP 285191

MANAGEMENT STATEMENT

Sheet 20 of 44 sheets

specified in the request or, if no time is specified, within 14 days of the making of the request.

- 25.9 Where:

- (a) By-Law 25.4 has been complied with for a meeting;
(b) each member of the Executive Committee has been served with a copy of a motion for a proposed resolution to be submitted at the meeting; and
(c) the resolution has been approved in writing by a majority of members of the Executive Committee,

then the resolution will, subject to section 38(3) of the Management Act, be as valid as if it had been passed at a duly convened meeting of the Executive Committee even though the meeting was not held.

- 25.10 A proprietor of a Lot or, where the proprietor is a corporation, the company nominee of the corporation may attend a meeting but that person may not address the meeting unless authorised by a resolution of the Executive Committee.

- 25.11 Minutes of meetings must be kept properly and held with the minutes of the General Meetings of the Neighbourhood Association.

- 25.12 The Executive Committee must, within 7 days after holding a meeting, display a copy of the minutes of that meeting on the notice board.

- 25.13 The minutes of an Executive Committee meeting must remain on the notice board for a period of at least 14 days.

- 25.14 The functions of the secretary include:

- (a) preparing and distributing minutes of meetings of the Neighbourhood Association and the Executive Committee;
(b) giving, on behalf of the Neighbourhood Association and the Executive committee, notices required to be given under the Management Act;
(c) maintaining the Neighbourhood Association roll;
(d) supplying certificates in accordance with clause 2 of schedule 4 to

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REGISTERED 1.6.1994

DP 285191 MANAGEMENT STATEMENT

Sheet 21 of 44 sheets

- (e) answering communications addressed to the Neighbourhood Association or the Executive Committee;
- (f) convening meetings of the Executive Committee and the Neighbourhood Association (other than the first annual general meeting);
- (g) performing administrative or secretarial functions on behalf of the Neighbourhood Association;
- (h) performing administrative or secretarial functions on behalf of the Executive Committee;
- (i) keeping records under part 3 of the schedule 1 to the Management Act.

25.15 The functions of the treasurer include:

- (a) the functions set out in section 36 (1) and (2) of the Management Act;
- (b) notifying proprietors of Lots of any contributions levied under the Management Act;
- (c) receiving, acknowledging, banking and accounting for any money paid to the Neighbourhood Association;
- (d) preparing any certificate applied for under paragraphs (b), (c), (d), (e) and (f) of clause 2 of schedule 4 to the Management Act;
- (e) keeping prescribed accounting records under clause 10 of schedule 1 to the Management Act;
- (f) preparing financial statements under clause 11 of schedule 1 to the Management Act; and
- (g) notifying proprietors of Neighbourhood Lots of any contribution levied under this Management Statement and collecting such contribution.

25.16 The Executive Committee may from time to time appoint sub-committees comprising one or more of its members to:

REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

Sheet 23 of 44 sheets

BY-LAW 27: KEEPING OF ANIMALS

27.1 The proprietor or occupier of a Lot must not, except with the approval of the Neighbourhood Association, keep an animal on a Lot or other part of the Neighbourhood Scheme.

27.2 Notwithstanding By-Law 28.1;

- (a) a completely or partially blind proprietor or occupier of a Lot may keep a dog used as a guide on a Lot; and
- (b) a completely or partially blind person may use a dog as a guide on a Lot or on any other part of the Association Property.

BY-LAW 28: RESTRICTIONS ON PARKING

28.1 A proprietor or occupier of a Lot must not park a vehicle within the Neighbourhood Scheme except in a garage or a driveway on his own Lot or on an area on the Association Property designated by the Neighbourhood Association from time to time as being an area where a vehicle may be parked by a proprietor or occupier of a Lot.

28.2 A proprietor or occupier of a Lot must not park a boat or a trailer on the Neighbourhood Scheme except in a garage of his own Lot or on an area on the Association Property designated by the Neighbourhood Association from time to time as being an area where a boat or trailer may be parked by a proprietor or occupier of a Lot.

BY-LAW 29: NEIGHBOURHOOD ASSOCIATION'S RIGHT TO ENTER INTO CONTRACTS

29.1 Subject to the rights conferred on the proprietor of Lot 20 and the Resort Caretaker under By-Law 44, the Neighbourhood Association may, on its own behalf, contract with persons to:

- (a) provide management, operation or maintenance and other services in connection with Association Property and the Association Facilities;
- (b) provide services or amenities to the proprietors or occupiers of Lots;
- (c) provide other services or amenities to Association Property or the proprietors or occupiers of the Lots.

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REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

Sheet 22 of 44 sheets

- (a) conduct investigations;
- (b) perform duties and functions on behalf of the Executive Committee; and
- (c) report the findings of the sub-committee to the Executive Committee.

25.17 Members of the Executive Committee are not entitled to any remuneration for the performance of their functions but are entitled to reimbursement for reasonable out of pocket expenses incurred by them in the performance of their functions.

25.18 No member of the Executive Committee will be liable for any loss or damage occurring by reason of an act done in his capacity as a member of the Executive Committee except fraud or negligence on the part of that member.

PART 4

OPTIONAL MATTERS

BY-LAW 26: ROAD RULES

26.1 A proprietor or occupier of a Lot must not drive any motor vehicle on the Private Access Way or any other part of the Neighbourhood Scheme:

- (a) at a speed in excess of 10 kph;
- (b) which is not registered for use on public roads in accordance with the laws of any state or territory of Australia;
- (c) if they are not licensed to drive the vehicle on a public road in accordance with the laws of any state or territory of Australia; or
- (d) which is excessively noisy or which emits an excessive level of exhaust or other fumes.

26.2 To the extent that this By-Law does not govern road rules in the Neighbourhood Scheme, the provisions of the Traffic Act 1909 apply.

REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

Sheet 24 of 44 sheets

BY-LAW 30: CONTROL OF OCCUPIERS

All proprietors renting Lots must provide any occupier, lessee or licensee with a copy or summary of this Management Statement and take all reasonable steps to ensure that the lessee or licensee or occupier of the Lot complies with the By-Laws. If a By-Law prohibits a proprietor or occupier of a Lot from doing a thing, the proprietor or occupier must not allow or cause another person to do that thing.

BY-LAW 31: NEIGHBOURHOOD ASSOCIATION'S RIGHT TO REMEDY

If something should have been done which has not been done by a proprietor or occupier of a Lot as required by these By-Laws, the Neighbourhood Association may do or carry out that task at the expense of the proprietor or occupier of the Lot who has defaulted in not carrying out the obligations required by it.

BY-LAW 32: DEBTS TO NEIGHBOURHOOD ASSOCIATION

If moneys are owing to the Neighbourhood Association and have not been paid, the Neighbourhood Association may recover such moneys owing under the By-Laws as a debt.

BY-LAW 33: NON-LIABILITY OF NEIGHBOURHOOD ASSOCIATION

Excepting negligence or fraud of the Neighbourhood Association or any employee of the Neighbourhood Association, the Neighbourhood Association will not be liable for damage to or loss of property or injury to any person on any Lot or on the Association Property.

BY-LAW 34: INTEREST ON OVERDUE MONEY

34.1 Interest must be paid by a proprietor or occupier of a Lot to the Neighbourhood Association on any amount other than a contribution levied by the Neighbourhood Association under the Management Act, that has become due for payment and remains unpaid from and including the date it becomes due for payment.

34.2 During the period that an amount under By-Law 34.1 remains unpaid, after demand or notification by the Neighbourhood Association, interest will be calculated on daily balances at the rate equal to two per centum per annum above the rate quoted from time to time by the Neighbourhood Association's bankers (as nominated by the Neighbourhood Association) on overdraft accommodation in excess of \$100,000.

BY-LAW 35: RULES

REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

35.1 Subject to the restricted use by-laws contained in this Management Statement, rules and regulations may be made by the Neighbourhood Association regulating the control, management, operation, use and enjoyment of the Neighbourhood Scheme including without limitation the following parts of the Association Property:

- (a) the control, management, operation and use of the Association Property including without limitation the Association Facilities; and
- (b) the storage, disposal and collection of garbage.
- 35.2 The Neighbourhood Association may alter, add to or vary at any time any such rules and regulations as prescribed by By-Law 35.1.
- 35.3 Rules and regulations made under this By-Law will bind a proprietor, occupier, mortgagee in possession and lessee of each Lot.

BY-LAW 36: COMPLIANCE AUTHORITIES REQUIREMENTS

All requirements and orders of authorities and all laws in connection with any Lot and the use or occupation of any Lot must be complied with by a proprietor or occupier of such Lot.

BY-LAW 37: PRIMA FACIE CERTIFICATE

A certificate signed by the Neighbourhood Association, the Secretary or the Managing Agent about a matter or sum payable to the Neighbourhood Association in connection with the By-Laws is prima facie evidence of the amount or any other factual matters stated in it.

BY-LAW 38: COMMUNICATIONS

All communications, approvals, notices or authorisations by the Neighbourhood Association under these By-Laws must be in writing and any complaints, notices or applications or requests for consideration of matters by the Neighbourhood Association must be in writing and forwarded to the Manager of the Neighbourhood Association or the Secretary of the Neighbourhood Association.

BY-LAW 39: NEIGHBOURHOOD ASSOCIATION APPROVALS

Neighbourhood Association approvals required under these By-Laws may be given conditionally, unconditionally or withheld in the absolute discretion of the Neighbourhood Association unless expressly provided otherwise herein.

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REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

the terms and conditions of that licence, all requirements of the Liquor Administration Board and comply with all laws and regulations of the Liquor Act 1982.

BY-LAW 43: SERVICES AGREEMENT

The Neighbourhood Association intends, during the initial period, to enter into a Services Agreement for the provision of the services and facilities to proprietors and occupiers of Lots. The Services Agreement will be entered into during the initial period and for the purposes of section 24(2)(a) of the Community Land Management Act the particulars of the Services Agreement are disclosed as follows:

Parties: The Neighbourhood Association and the Resort Caretaker

Term: Five years plus a five years plus five year option.

Duties: The duties of the Resort Caretaker are:

- (a) the cleaning, caretaking, landscaping, gardening, security, supervision and service of the Association Property;
- (b) the general repair, maintenance, renewal and replacement of Association Property subject to the approval of the Executive Committee;
- (c) the provision of services to proprietors and occupiers of Lots including without limitation the services of porter, telephonist, handyman, laundry services, room cleaning and servicing, food and drink services;
- (d) a letting service of Lots and a Rental Service to Lots and property management services;
- (e) the supervision of employees and contractors of the Neighbourhood Association;
- (f) the control, supervision and management of the Neighbourhood Association generally; and
- (g) any other matter, activity or thing which the Neighbourhood Association agrees is appropriate for the operation and management of the Neighbourhood Scheme.

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REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

Sheet 26 of 44 sheets

BY-LAW 40: BY-LAWS

The By-Laws must be exhibited in a prominent place on Association Property.

BY-LAW 41: REIMBURSEMENT OF THE COST, CHARGES AND EXPENSES

- 41.1 A proprietor or occupier of a Lot must pay or reimburse the Neighbourhood Association on demand for the costs, charges and expenses of the Neighbourhood Association in connection with the contemplated or actual enforcement or preservation of any rights under the By-Laws against any proprietor or occupier of a Lot.
- 41.2 The costs, charges and expenses set out in 41.1 must include, without limitation, all costs incurred in obtaining independent consultants and other people to evaluate any matter of concern and the Neighbourhood Association's administration costs in connection with those events.

BY-LAW 42: CONFERENCE CENTRE - RESTAURANT LOT

- 42.1 The proprietor of Lot 20 may operate Lot 20 as a restaurant, conference centre, lounge bar, or any other use permitted by the Port Stephens Shire Council and permitted under the relevant Local Environmental Plan.
- 42.2 The trading hours of the restaurant, conference centre and lounge bar will be those hours that the proprietor of Lot 20 deems appropriate for the purposes of running the aforesaid facilities.
- 42.3 The proprietor of Lot 20 must comply on time with all requirements and orders of all authorities and all laws, statutes and by-laws in connection with the use of Lot 20 as a restaurant, conference centre and lounge bar.
- 42.4 Notwithstanding the rights of the Resort Caretaker under the Services Agreement, the proprietor of Lot 20 has a right to provide food and drink (alcoholic and non-alcoholic) to the proprietors and occupiers of the Neighbourhood Scheme provided By-Law 42.3 has been complied with.
- 42.5 The proprietor of Lot 20 must ensure that any invitee or occupier of Lot 20 will not reasonably interfere with the quiet enjoyment and use by other occupiers and Lot owners of the Neighbourhood Scheme.
- 42.6 If the proprietor of Lot 20 does obtain a liquor licence it must comply with

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REGISTERED

1-6-1994

DP 285191

MANAGEMENT STATEMENT

Sheet 28 of 44 sheets

Conditions of Appointment:

- The Resort Caretaker or its agent or employee must be either the registered proprietor or lessee of Lot 18 and must reside on Lot 18 in accordance with Council's requirement that the Resort Caretaker remain on site to manage the Neighbourhood Scheme.
- The Resort Caretaker can delegate the abovementioned duties to its agents or employees.
- The Services Agreement is subject to and conditional upon the proprietor of Lot 20 agreeing to the appointment of the Resort Caretaker.

Sole Rights:

The Resort Caretaker has the exclusive right to conduct a letting service and provide ancillary and other services to proprietors and occupiers of Lots (as the Resort Caretaker thinks fit) including without limitation:

- supply of linen;
- catering;
- housekeeping and cleaning;
- entertainment, restaurant and tour excursions, day trips and reservations;
- booking of air and travel accommodation;
- vehicle and taxi hire.

Remuneration:

Annual remuneration will be equivalent to the amount reasonably determined by the proprietor of Lot 20 for the cost of the annual operation, management and maintenance of the Neighbourhood Scheme as well as a profit component.

Assignment:

The Resort Caretaker may assign the agreement with the consent of the Neighbourhood Association whose consent will not be unreasonably withheld.

Termination:

The agreement may be terminated by the Neighbourhood Association if:

- (i) the Resort Caretaker neglects or fails to carry out duties after 28 days notice of same from the Neighbourhood Association;
- (ii) the Resort Caretaker breaches assignment provisions in the agreement;

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REGISTERED

1-6-1994

UP 285191

MANAGEMENT STATEMENT

Sheet 29 of 44 sheets

- (iii) the Resort Caretaker is grossly negligent in the performance of its duties;
- (iv) the Resort Caretaker is wound up, liquidated or bankrupted.

BY-LAW 44: TRADING ACTIVITIES

44.1 The Neighbourhood Association may, for the purposes of exercising and performing its powers and duties, carry on a business or trading activity.

44.2 The Neighbourhood Association:

- (a) must pay into its Sinking Fund income derived by it from its business or trading activities; and
- (b) must estimate how much money it will need to credit to its Sinking Fund to meet expenses associated with carrying on its business or trading activity; and

(c) must make the estimate under By-Law 44.2(b):

- (i) no later than one month after incorporation of the Neighbourhood Association; and
- (ii) after that, as the occasion requires

at a General Meeting that has before it a statement of the existing financial situation and an estimate of receipts and payments;

(d) must impose a levy on each member for a contribution to provide the amount estimated by By-Law 44.2(b); and

(e) may distribute any net profit derived by it from carrying on its business or trading activities in accordance with clause 17 of Schedule 1 to the Management Act.

44.3 If the Neighbourhood Association suffers a net loss from carrying on its business or trading activities, then it must impose a levy on each member for a contribution to the Sinking Fund in order to meet the amount of the net loss.



DP 285191

MANAGEMENT STATEMENT

Sheet 31 of 44 sheets

Management Statement. The terms of the memorandum set out:

- (a) the rights and privileges of Hunter Water Corporation Limited, its servants, agents and workers are entitled to exercise; and
- (b) the obligations imposed on the proprietors of Lots within the Neighbourhood Scheme.

50.2 Water and sewer services are supplied by Hunter Water Corporation to the boundary of the Lot owned by the Community Association. The Community Association is responsible for both the provision and the maintenance of the internal water and sewer services and the payment of Water Corporation accounts.

50.3 This By-Law may not be amended or revoked without the consent of the Hunter Water Corporation Limited.

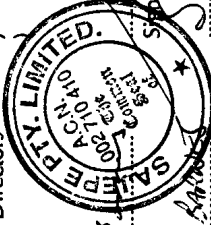
BY-LAW 51: EXCLUSIVE LETTING RIGHTS

All proprietors acknowledge and agree that the Resort Caretaker has the exclusive right to carry on the business of conducting the lettings of all Lots within the Neighbourhood Scheme and all proprietors, if they wish to let or rent their respective Lots must use the Resort Caretaker as their letting agent.

SIGNATURES, CONSENTS AND APPROVALS

DATED 20th day of May 1994

THE COMMON SEAL of SAJEPE PTY LIMITED was hereunto affixed by authority of the Board of Directors in the presence of:



Signature of Director

MICHAEL JOHN BARNES

Signature of Secretary

STEPHEN E. BARNES

Name of Director (block letters)

Name of Secretary (block letters)



DP 285191

MANAGEMENT STATEMENT

Sheet 30 of 44 sheets

PART 5

BY-LAWS REQUIRED BY PUBLIC AUTHORITIES

BY-LAW 45: RESORT CARETAKER'S RESIDENCE

The Resort Caretaker must reside in Lot 18 to carry out the letting services. The Resort Caretaker's tenure in Lot 18 must be either leasehold tenure or fee simple tenure.

BY-LAW 46: RESORT CARETAKER'S RECORDS

Records of all lettings of all Lots must be kept by the Resort Caretaker or its employees, agents or contractors and made available for inspection by the Port Stephens Shire Council's General Manager or his servants and agents. The records of lettings must include without limitation the names of the occupants and the period of stay of such occupants.

BY-LAW 47: NOTIFICATION TO COUNCIL

The Neighbourhood Association must notify the General Manager of the Port Stephens Shire Council in writing of the name and address of the Resort Caretaker within 7 days of appointment of the Resort Caretaker.

BY-LAW 48: MAXIMUM OCCUPANCY

Excepting Lot 18, all Lots within the Neighbourhood Scheme must not be occupied by any proprietor or occupier of that particular Lot for longer than forty two (42) consecutive days or an aggregate, one hundred and fifty (150) days in any twelve month period, such period to be calculated from the date of the first occupation of a Lot.

BY-LAW 49: PROHIBITION OF USE

Excepting Lot 18, all Lots within the Neighbourhood Scheme are not to be used as residential flats. Excepting Lots 18, 19 and 20 all Lots within the Neighbourhood Scheme must be operated as serviced cabins and each cabin must have available to it the provision of all linen, metered telephone and garbage removal.

BY-LAW 50: HUNTER WATER CORPORATION LIMITED

50.1 Notwithstanding any other By-Law in this Management Statement the terms of registered memorandum no. E47675 are incorporated into this



DP 285191

MANAGEMENT STATEMENT

Sheet 32 of 44 sheets

(a) that the consent authority has approved of the development described in Development Application N920193 and

(b) that the terms and conditions of this Management Statement are not inconsistent with that development as approved.

Date:

23/5/94

Signature on behalf of consent authority

Steph Barnes



DP 285191

MANAGEMENT STATEMENT

Sheet 33 of 44 sheets

PART 6

DEFINITIONS, INTERPRETATION AND GENERAL

BY-LAW 52: DEFINITIONS AND INTERPRETATION

The following words have these meanings in the By-Laws unless a contrary intention appear

"Access Ways" means the Private Access Way as shown on the Private Access Ways Plan contained in Part 11.

"Annual General Meeting" means the annual general meeting of the Neighbourhood Association other than the First Annual General Meeting.

"Architectural Guidelines" means the plans and specifications as set out in Building Approval from the Port Stephens Shire Council Reference Number 1591 of 91.

"Association Facilities" means the Pool Area, the Tennis Court Area, the Bar-B-Que Area, the Gymnasium, the Services Building and the Open Space Area as shown on the Concept Plan.

"Association Property" means the lot shown as Lot 1 on the Neighbourhood Plan.

"Bar-B-Que Area" means that part of the Association Property as shown on the Concept Plan.

"By-Law" means a by-law included in this Management Statement.

"Concept Plan" means the plan of amenities as detailed in the plan contained in part 10.

"Development Act" means the Community Land Development Act 1989 and regulations made under it.

"Executive Committee" means the committee members of the Neighbourhood Association who undertake the day to day management of the Neighbourhood Scheme constituted pursuant to the Management Act.

"First Annual General Meeting" means the General Meeting convened and held under section 9 of the Management Act.



DP 285191

MANAGEMENT STATEMENT

Sheet 35 of 44 sheets

"Open Space Area" means the area which forms Association Property shown as such on the Concept Plan.

"Pool Area" means that part of the Association Property shown as such on the Concept Plan.

"Private Access Way" means a private access way set apart under section 47 of the Development Act as shown on the Private Access Ways Plan contained in Part 11.

"Rental Service" means in relation to a lot the arrangement of leases, licenses, agreements of occupation of the Lot and the provision of any associated services including without limitation;

- (a) supply of linen;
- (b) housekeeping and cleaning;
- (c) catering;
- (d) dry cleaning and laundry;
- (e) vehicle and taxi hire;
- (f) entertainment, restaurant and tours;
- (g) supply of newspapers;
- (h) booking air and other travel accommodation.

"Resort Caretaker" means the manager and caretaker of the Neighbourhood Scheme, who has entered into a Services Agreement with the Neighbourhood Association as specified in the Management Statement, but does not include the Managing Agent.

"Secretary" means the secretary of the Neighbourhood Association.

"Service Line" means a pipe, wire, cable, duct, conduit or pole by means of which a Service is or is to be provided to the Lots within the Neighbourhood Scheme.

"Service Provider" means, without limitation, Shortland Electricity, Telecom Australia, the Hunter Water Corporation Limited, AGL Sydney Limited, council of the shire of Port Stephens and any authorities or corporations assuming similar functions.

"Services" means a service running through or servicing Lots or Association Property provided by any Service Provider.

"Services Agreement" means the agreement referred to in By-Law 43.



DP 285191

MANAGEMENT STATEMENT

Sheet 34 of 44 sheets

"General Meeting" means an Annual General Meeting or special general meeting of the Neighbourhood Association.

"Gymnasium" means that part of the Association Property as shown on the Concept Plan.

"Landscape Modifications" means any modification, addition or alteration made to the landscaped area on the Association Property or any Lot.

"Lot" means the land that is a lot in the Neighbourhood Plan but is not Association Property, a public reserve or a drainage reserve.

"Management Act" means the Community Land Management Act 1989 and regulations made under it.

"Management Statement" means this Management Statement lodged with the Neighbourhood Plan pursuant to section 13(4) of the Development Act and includes all amendments and replacements subsequently made.

"Managing Agent" means an agent appointed under section 50 of the Management Act.

"Neighbourhood Association" means the corporation that:

(a) is constituted by section 25 of the Development Act or the registration of the Neighbourhood Plan; and

(b) is established as a Neighbourhood Association by section 7 of the Management Act.

"Neighbourhood Plan" means the deposited plan subdividing land and creating the Neighbourhood Scheme.

"Neighbourhood Scheme" means:

(a) a subdivision of land by the Neighbourhood Plan;

(b) the proposals in the related development contract; and

(c) rights conferred and the obligations implied by or under the Community Titles Legislation for the Association Property and the proprietors and other persons having interests in or occupying the Lots.



DP 285191

MANAGEMENT STATEMENT

Sheet 36 of 44 sheets

"Services Building" means the building that is part of the Association Property shown on the Concept Plan.

"Sewerage Treatment Area" means that part of the Association Property as shown on the Concept Plan.

"Sinking Fund" means the sinking fund referred to in section 12 part 4 of schedule 1 of the Management Act.

In the By-Laws, unless the contrary intention appears:

- (a) a reference to the singular includes the plural and vice versa;
- (b) a reference to a statute includes any variation, amendment, re-enactment or replacement of it;
- (c) the word "person" includes a firm, a body corporate, an association or an authority;
- (d) reference to a person includes a reference to the person's executors, administrators, successors and assigns.

If the whole or any part of these By-Laws are void or unenforceable then it is severed. The remainder of the By-Laws have full force and effect.



DP 285191

Sheet 38 of 44 sheets

PART 8

SERVICE WORKS AS EXECUTED PLAN

See accompanying Service Works as Executed Plan

PART 7

NEIGHBOURHOOD PLAN

See accompanying Neighbourhood Plan

D802955.1

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DP 285191

MANAGEMENT STATEMENT

Sheet 99 of 44 sheets

PART 9

ARCHITECTURAL GUIDELINES

Refer to the Plans and Specifications as set out in the Building Approval from the Port Stephens Council Reference Number 1591 of 91.

D802955.1

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DP 285191

MANAGEMENT STATEMENT

Sheet 40 of 44 sheets

PART 10

CONCEPT PLAN

See the accompanying Concept Plan

D802955.1

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D802955.1

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DP 285191

MANAGEMENT STATEMENT

Sheet 41 of 44 sheets

PART 11

PRIVATE ACCESS WAYS PLAN

See the accompanying Private Access Ways Plan

DP 285191

MANAGEMENT STATEMENT

PART 10. CONCEPT PLAN.

Sheet 42 of 44 Sheets



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DB/2955.1

REGISTERED 1.6.1994

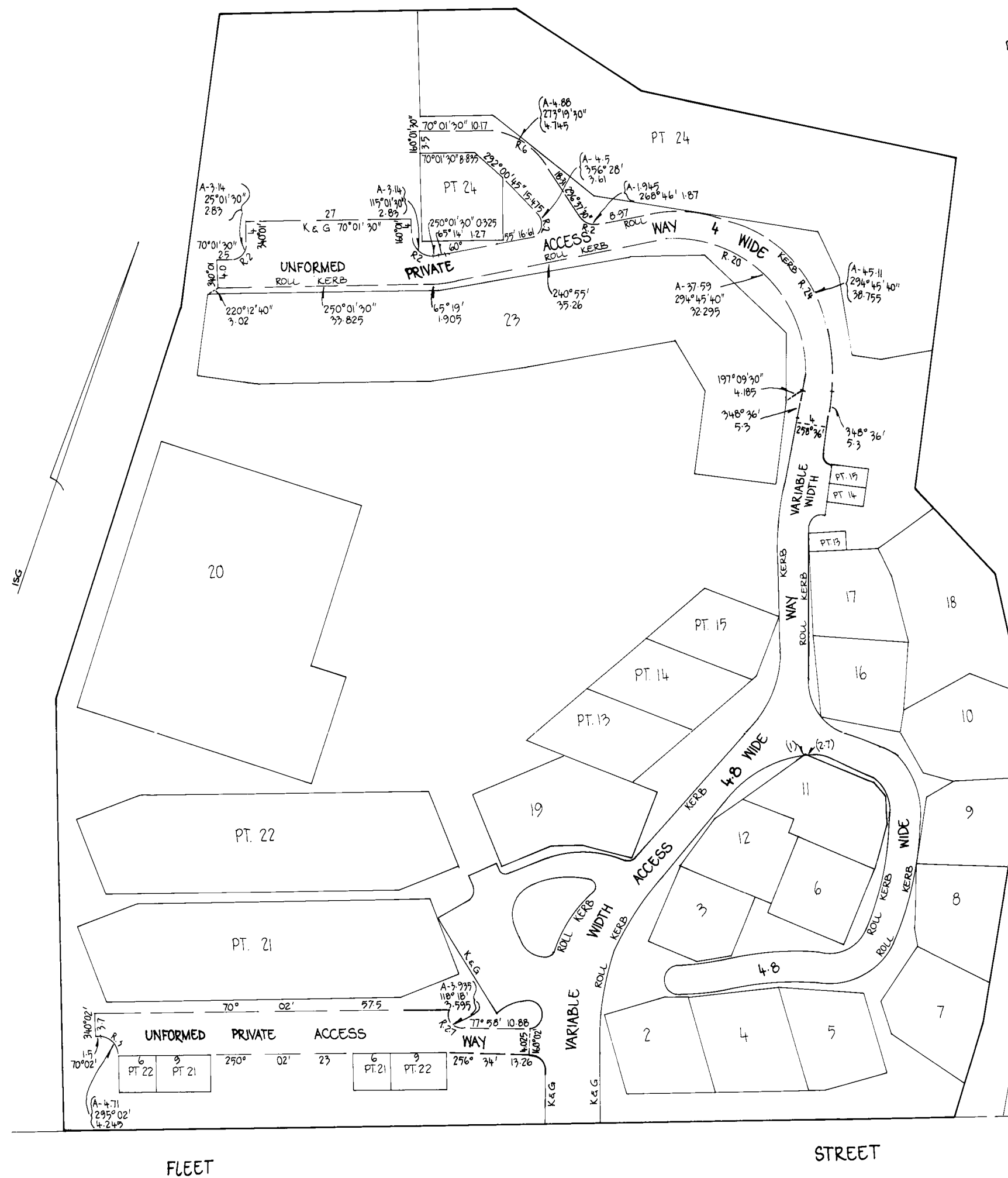
I, RONALD K. MURTAGH, SURVEYOR
 OF JOHN LOWE & ASSOC. P/LD. BOX 209 CARDIFF 2205
 CERTIFY THAT THIS IS A PLAN OF THE SERVICE WORKS
 AS EXECUTED/ACCESS WAYS PROVIDED FOR THE
 DEVELOPMENT SHOWN IN COMMUNITY/PRECINCT/
 NEIGHBOURHOOD PLAN No.

NOTE: REGARDING ACCESSWAYS

THIS PLAN ILLUSTRATES PRIVATE ACCESS WAYS
 WHICH ARE NEIGHBOURHOOD PROPERTY AND ARE
 NOT PUBLIC ROADS WITHIN THE MEANING OF THE
 LOCAL GOVERNMENT ACT 1993.

NOTE: SEE DETAIL SHEET FOR SURVEY INFORMATION.

KEY - K & B AND KERB = FACE OF KERB & GUTTER.
 ROLL KERB = OUTER EDGE OF ROLL KERB.



M. J. Barnes

[Signature]

MANAGEMENT STATEMENT

REGISTERED  1-6-1994

NEIGHBOURHOOD PLAN
D P 285191
SHEET 44 OF 44 SHEETS

PLAN OF SERVICE WORKS AS EXECUTED AND
PROPOSED TO BE CONSTRUCTED FOR
COLONIAL RIDGE RESORT AT SALAMANDER
BAY.

RK 

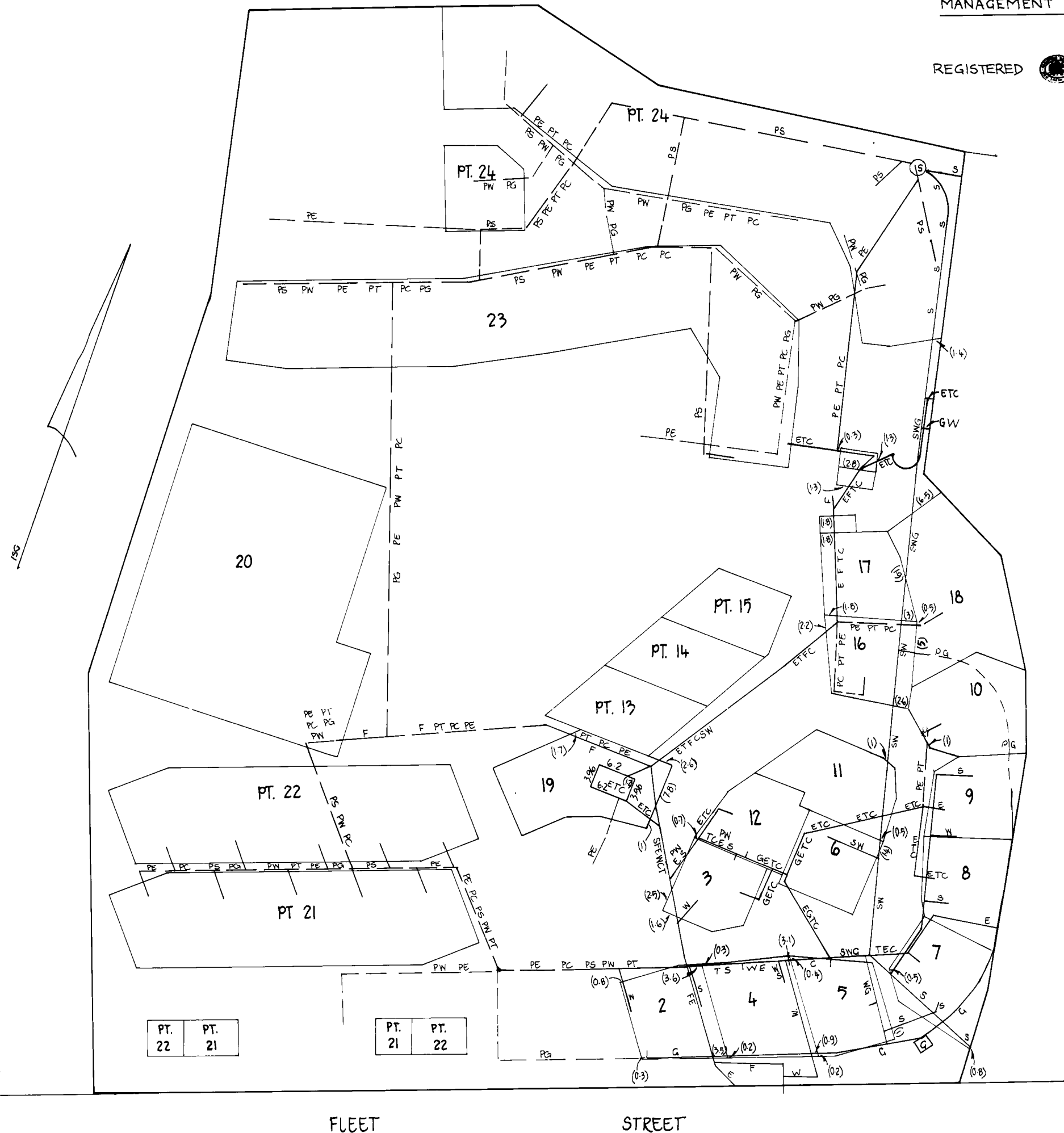
I, RONALD K. MURTAGH, SURVEYOR
OF JOHN LONE & ASSOC P/L OF P.O. BOX 209 CARDIFF, 2285,
CERTIFY THAT THIS IS A PLAN OF THE SERVICE WORKS
AS EXECUTED/ACCESS WAYS PROVIDED FOR THE
DEVELOPMENT SHOWN IN COMMUNITY/PRECINCT/
NEIGHBOURHOOD PLAN No.

SCALE 1:500

NOTE - ALL SERVICES ARE IN COMON TRENCHES AS
INDICATED BY PLAN.
- ALL SERVICES ARE 0.5 TO 0.8 DEEP UNLESS
OTHERWISE STATED.

KEY

- G. GAS PIPE (APPROX POSITION)
- E. ELECTRICITY CABLE (APPROX POSITION)
- T. TELECOM CABLE (APPROX POSITION)
- C. CO-AXIAL CABLE (APPROX POSITION)
- S. SEWER PIPE
- W. WATER PIPE
- F. FIRE SERVICE PIPE (APPROX POSITION)
- PG. PROPOSED GAS PIPE
- PE. PROPOSED ELECTRICITY CABLE
- PT. PROPOSED TELECOM CABLE
- PC. PROPOSED CO-AXIAL CABLE
- PS. PROPOSED SEWER PIPE
- PW. PROPOSED WATER PIPE



M f Barnes


PT. 22 PT. 21

PT. 21 PT. 22

COLONIAL RIDGE RESORT

SALAMANDER BAY, NSW

NEIGHBOURHOOD

DEVELOPMENT CONTRACT

BILBIE WHITFORD & DAN

Solicitors

Level 1, 57 Hunter Street
NEWCASTLE NSW 2300

DX 7816 NEWCASTLE

TEL: (0499) 29 5511

FAX: (0490) 29 6309

REF: MH:JH

DOC ID: D812955.2

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1.6.1994

DEVELOPMENT CONTRACT

DP 285191

Sheet 3 of 12 Sheets

FORM 27

COMMUNITY LAND DEVELOPMENT ACT, 1989

NEIGHBOURHOOD DEVELOPMENT CONTRACT

WARNING

1. This contract contains details of a neighbourhood scheme which is proposed to be developed on the land described in it. Interested persons are advised that the proposed scheme may be varied, but only in accordance with section 16 of the Community Land Management Act 1989.

2. This contract should not be considered alone, but in conjunction with the results of the searches and inquiries normally made in respect of a neighbourhood lot in the scheme concerned. Attention is drawn in particular to the neighbourhood management statement registered at the Land Titles Office with this contract, which statement sets out the management rules governing the neighbourhood scheme and provides details of the rights and obligations of lot owners under the scheme.

3. Further particulars about the details of the scheme are available in development consent dated 25.11.1994 13520193 granted by Council of the Shire of Port Stephens.

4. The terms of this contract are binding on the Original Proprietor and any purchaser, lessee or occupier of a neighbourhood lot in the neighbourhood scheme. In addition, the Original Proprietor covenants with the neighbourhood association and with the subsequent proprietors jointly and with each of them severally to develop the land the subject of the neighbourhood scheme in accordance with the development consent as modified or amended with the consent authority's approval from time to time.

TERMS OF INSTRUMENT NOT CHECKED
IN LAND TITLES OFFICE

REGISTERED



1.6.1994

REGISTERED



1.6.1994

DEVELOPMENT CONTRACT

DP 285191

Sheet 4 of 12 Sheets

PART 1

DESCRIPTION OF DEVELOPMENT

1. Description of Land

The land to be developed under the Neighbourhood Scheme is the land contained in Certificate of Title Folio Identifier 1/791551 being Lot [] in DP [] of Shire of Port Stephens Parish of Tomaree County of Gloucester described as Fleet Street, Salamander Bay, NSW.

2. Description of the Amenities Proposed to be Provided

2.1 The Original Proprietor intends to subdivide the land by a Neighbourhood Plan and create:

- (a) 45 Neighbourhood Lots; and
- (b) 1 lot being Association Property.

2.2 On the Association Property the Original Proprietor intends to construct a swimming pool, tennis court, gymnasium, Barbecue areas, and private access ways.

3. Description of the Basic Architectural Design and Landscaping and Theme

The development is designed as a budget, holiday cabin resort called "Colonial Ridge Resort".

Features will include traditionally designed cabins, an extensive open access area to associates on facilities and general recreational areas. Signage, landscaping and lighting will also be in keeping with the above theme.

All landscaping will be in harmony with and complement the theme of the development and be compatible with existing environmental and ecological conditions and will comply with the Architectural Guidelines which are contained in Part 9 of the Neighbourhood Management Statement.

TERMS OF INSTRUMENT NOT CHECKED
IN LAND TITLES OFFICE

INDEX

PART 1	4
DESCRIPTION OF DEVELOPMENT	
1. Description of Land	4
2. Description of the Amenities Proposed to be Provided	4
3. Description of the Basic Architectural Design and Landscaping and Theme	4
PART 2	
ORIGINAL PROPRIETOR'S RIGHTS AND UNDERTAKING	5
DETAILS OF WORKING HOURS	5
UNDERTAKING BY THE ORIGINAL PROPRIETOR TO REPAIR	5
PART 3	
SIGNATURES, CONSENTS AND APPROVALS	7
CERTIFICATE OF APPROVAL	7
CERTIFICATE UNDER SECTION 26(5)	8
PART 4	
DEFINITIONS AND INTERPRETATION	9
PART 5	
PICTORIAL PRESENTATION	10
PART 6	
STAGING OF DEVELOPMENT	11

DP 285191

Sheet 5 of 12 Sheets

PART 2

ORIGINAL PROPRIETOR'S RIGHTS AND UNDERTAKING

The Original Proprietor and its contractors, subcontractors, workmen, servants, agents and other authorised persons will have the following rights for the purpose of enabling the Original Proprietor to develop the land in accordance with this contract:

- (a) **Access:** will be via the Private Access Way. Complete and unrestricted access by food, motor vehicle, truck or earth moving machinery is required over Association Property.
- (b) **Construction Zones:** the right to attach temporary offices, sheds and depots and the right to install Services or Service Lines on any part of the Association Property.

DETAILS OF WORKING HOURS

The hours during which the Original Proprietor may undertake or cause to be undertaken development activities are as follows:

- (a) **Monday to Saturday:** between the hours of 7.00 am to 7.00 pm except Christmas days and Good Fridays;
- (b) **In the case of an emergency:** at any time but subject to the Original Proprietor's undertaking set out below.

UNDERTAKING BY THE ORIGINAL PROPRIETOR TO REPAIR

The Original Proprietor undertakes:

- (a) to use its best endeavours not to cause unreasonable inconvenience to proprietors of lots in the Neighbourhood Scheme by its development activities; and
- (b) to repair without delay any damage caused to Association Property by its development activities.

Date:

1994

TERMS OF INSTRUMENT NOT CHECKED
IN LAND TITLES OFFICE

REGISTERED  1-6-1994

DEVELOPMENT CONTRACT

DP 285191

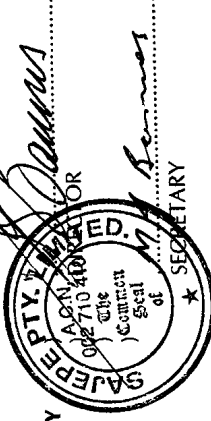
Sheet 7 of 12 Sheets

PART 3

SIGNATURES, CONSENTS AND APPROVALS

THE COMMON SEAL of SAJEPE PTY
LIMITED is affixed in accordance
with its articles of association
in the presence of:

Richard Thompson



CERTIFICATE OF APPROVAL

It is certified:

- (a) that the consent authority has approved of the development described in Development Application No. S20193; and
- (b) that the terms and conditions of this Development Contract are not inconsistent with that development as approved.

Date:

23rd May 1994


Signature on behalf of consent authority

REGISTERED  1-6-1994

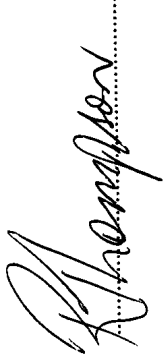
DEVELOPMENT CONTRACT

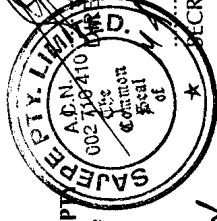
DP 285191

Sheet 6 of 12 Sheets

THE COMMON SEAL of SAJEPE PTY
LIMITED is affixed in accordance
with its articles of association
in the presence of:

Richard Thompson





REGISTERED  1-6-1994

DEVELOPMENT CONTRACT

DP 285191

Sheet 8 of 12 Sheets

CERTIFICATE UNDER SECTION 26(5)
COMMUNITY LAND DEVELOPMENT ACT 1989

It is certified:

- (a) that consent has been granted to the development proposed by the instruments, plans and drawings that comprise this development contract; and
- (b) that the instruments, plans and drawings are not inconsistent with the development consent pursuant to Development Application No. S20193

Date:

23rd May 1994


Signature on behalf of consent authority

REGISTERED  1-6-1994

PART 4

DEFINITIONS AND INTERPRETATION

The following words have these meanings in this Development Contract unless a contrary intention appears:

"Original Proprietor" means Sajepo Pty Limited, its successors and assigns.

"Association Property" has the same meaning as Association Property as defined in the Management Statement lodged with this Contract.

"Neighbourhood Scheme" has the same meaning as Neighbourhood Scheme as defined in the Management Statement lodged with this Contract.

"Neighbourhood Plan" has the same meaning as Neighbourhood Scheme as defined in the Management Statement lodged with this Contract.

REGISTERED 1-6-1994

DEVELOPMENT CONTRACT

DP 28510:

Sheet 11 of 12 Sheets

PART 6

STAGING OF DEVELOPMENT

- Schedule of proposed staging:
 - Reception/office building, service building, roads and services plus sixteen cottages.
 - Subdivision and building application of Lots 21 and 22 for ten (10) cottages plus roads, services and landscaping. Completion due 30 October, 1994.
 - Building application for recreational facility plus tennis courts and barbecue area. Services and landscaping. Completion due 31 December, 1994.
 - Subdivision and building application of Lots 23 and 24 for sixteen (16) cottages plus roads, services and landscaping. Building application for gymnasium. Completion due 31 January, 1994.
- Site plan of proposed staging (attached)

REGISTERED 1-6-1994

PART 5

PICTORIAL PRESENTATION

COLONIAL RIDGE RESORT
4 Fleet Street, Salamander Bay, NSW 2301
Telephone: (049) 82 0600 Fax: (049) 82 0611

CONCEPT ILLUSTRATION



REGISTERED 1-6-1994

DEVELOPMENT CONTRACT

DP 28510:

Sheet 12 of 12 Sheets

A. PROPOSED STAGING OF DEVELOPMENT.



Colonial Ridge Resort

F L E E T S T R E E T



REGISTERED 1-6-1994

R E S E R V E

PLAN FORM 2

SIGNATURE AND SEALS ONLY.

THE COMMON SEAL OF THE COUNCIL OF THE SHIRE OF PORT STEPHENS WAS HERETO AFFIXED PURSUANT TO A RESOLUTION OF THE COUNCIL PASSED ON THE 6th DAY OF DECEMBER 1988.

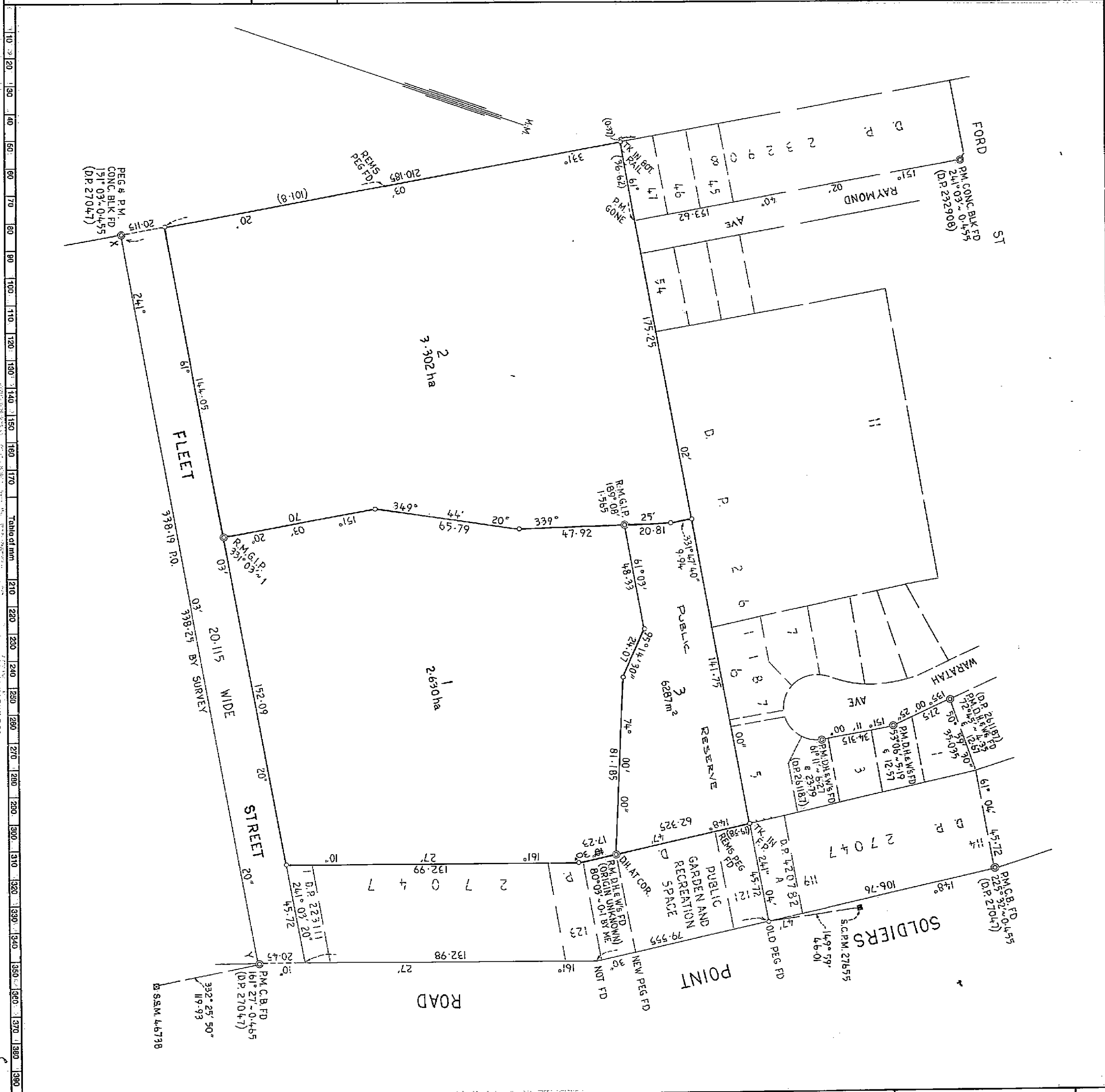
[Signature]
PRESIDENT

[Signature]
SHIRE CLERK

Crown Lands Office Approval
PLAN APPROVED
Land District
Paper No. pages
Field Book

Council Clerk's Certificate
I hereby certify that —
(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans, and
(b) the requirements of section 246 of the ~~Local Government Act, 1919~~ Local Government Act, 1988 as amended
have been complied with by the applicant in relation to the proposed SUBDIVISION
Subdivision No. ... 89/83.
Date: 4th August, 1989.
(Signed) *[Signature]*
Council Clerk

SURVEYOR'S REFERENCE: 89/8



WARNING: CHEASING OR FOLDING WILL LEAD TO REJECTION

10	20	30	40	50	60	70	80	90	100	110	120	130	140
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This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day 24 August, 1989



OFFICE USE ONLY

DP 791551

Registered: *[Seal]* 925.6.1989
C.A. No. 89/83 of 4.8.1989
Title System: TORRENS
Purpose: SUBDIVISION
Ref. Map: Z1072-1
Last Plan: DP 223111
DP 532954

PLAN OF SUBDIVISION OF LOT 2 DP 223111 AND LOT 42 DP 532954

Localities: PORT STEPHENS
SALAMANDER BAY
Parish: TOMAREE
County: GLOUCESTER

This is sheet 1 of my plan in sheet.
(Insert if applicable.)
I, DONALD GEORGE BEGG, of 41 VICTORIA ST. EAST, MAITLAND, a surveyor registered under the Surveyors Act, 1928, as amended, hereby certify that the survey represented in this plan was made by me or under my direction and in accordance with the Survey Practice Regulations, 1988 and any special requirements of the Department of Lands, and was completed on 16th MAY 1989.

Signature: *[Signature]*
Surveyor registered under the Surveyors Act, 1928, as amended.
Insert date of survey: 16th MAY 1989
Plans used in preparation of survey/completion:
D.P. 27047
D.P. 261187
D.P. 232908
D.P. 223111

PANEL FOR USE ONLY for statements of intention to dedicate public roads or public reserves, drainage easements, restrictions on the use of land or positive covenants.
IT IS INTENDED TO DEDICATE LOT 3 AS PUBLIC RESERVE